No. 1810.

U. S. Consulate General
Havana, March 1, 1893.

DEPARTMENT OF STATE
MAR 9 1893
RECEIVED

Mr. Williams
to the Department of State.

General acknowledgment of
instructions from numbers
761 to 763, inclusive.

No. 1810.

U.S. Consulate General.
Havana, March 1, 1893.

Honorable William F. Wharton,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's instructions numbers 761 to 763, inclusive, of which, number 761, has already been reported upon separately.

I am, Sir,
Very respectfully
Your obedient Servant,
Rowan O. Williams,
Consul General.

File.

No. 1811

DEPARTMENT OF STATE
MAR 9 1893
RECEIVED

U. S. Consulate General.
Havana, March 1, 1893.

Mr. Williams.
to the Department of State.

Receipt of circular.

No. 1811.

U. S. Consulate General,
Havana, March 1, 1893.

Honorable William F. Wharton,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's circular dated the 15th ultimo, the contents of which have been duly noted.

I am, Sir,
Very respectfully,
Your obedient Servant,
Lynn O. Williams,
Consul General.

Mr. Dennis

No. 1812.

U.S. Consulate General.

Havana, March 2, 1893.

DEPARTMENT OF STATE
MAR 9 1893
RECEIVED

Mr. Williams

to the

Department of State.

Tax on Sugar.

1 Enclosure.

No. 1817.

U.S. Consulate General.
Havana, March 2, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

With reference to my despatch no. 1809 I beg to enclose herewith for the information of the Department a report received from our Commercial agent at Cardenas as to the manner in which the tax on sugar is collected at that port. 1/

I am, Sir,
Very respectfully,
Your obt. servant,
Fitzhugh Lee,
Consul General.

One enclosure: Report as stated

Enclosure No. 1.

With Deqpatch No. 1812.

H A V A N A , March 2, 1893.

Copy.

Statement of the tax collected by the Spanish Govern - ment on sugar to-day.

10cents A tax of ten cents for each 100 kilograms(net) centri- fugal sugar.

5 cents Five cents for each 100 kilograms,net,on molasses and muscovado sugars.

This tax has to be paid by the planter of the cane to the "Hacienda" Treasury through the custom house.

Mode of collecting the above tax.

The warehouse keeper or owner is responsible to the government as he is strictly prohibited from allowing any of the sugar or molasses to be taken from his store- room without first seeing the receipt from the national government. The money or impost is collected at the time of weighing.

A custom house officer (tive waiter) has to be present at weighing with his weighers. The government had formerly the idea of sending this officer to the estate,not alone to weigh the sugar there but also to find out and ins- peet exactly the amount of sugars and molasses made. This scheme was however opposed by the majority of owners of the plantations together with the planters,hence the above mode was proposed by them and accepted by the spanish government. In addition to the 10 cents and 5 cents respectively on the sugar and molasses ,on the invoice that is presented to the Hacienda,a stamp of

10 cents is affixed regardless of the quantity of sugars. Weights or bags or gallons of molasses.

The trouble now existing (aside from the treaty with the U.S.) is between the cane growers, and the sugar producer ———, who are termed respectively "the agricultor and the industrial", "agricultor" is the one who plants the canes, "industrial" is the one who manufactures the sugar.

The colonial (colony) says the estate where the sugar is manufactured should and must pay the tax.

The estate that has the machinery says the "colonias" (colonies) must and should pay the tax.

Four years ago these amounts were paid to the government as an export duty which was called "derecho de carga" "Cargo duty" formerly under this system the smaller "Haciendas" estates were paying as much of the tax in proportion as the large "Hacienda" for example.

An Hacienda producing 10000bags pays $300, of this "derecho de carga" and the Hacienda producing 50.000 bags pays but $700.

The planter pays a very small tax on his plantation to grow cane or on his colony (cólonia) which was cheaper than to-day.

There was also charged a tax on engines, boilers and machinery and all the implements used in making sugar, so to-day there is more of a uniform system than before.

Signed: Sydenham P.C.Henriques,

Cardenas, Cuba, 27/9 3. —

File

Mr. Emmell

No. 812.

U.S. Consulate General.
Havana, March 2, 1893.

DEPARTMENT OF STATE
MAR 9 1893
RECEIVED

Mr. Williams
to the
Department of State

Transmitting copy of a letter from Mr. J. Seidel, agents of Messrs. Collins & of New York.

1 Enclosure.

No. 813.

U.S. Consulate General.
Havana, March 2, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I beg to submit to the consideration of the Department a copy of a letter addressed yesterday to this office by Mr. J. Seidel, agent in this city of Messrs. Collins & Co, of New York, asking for redress against the disfranchisement of cane knives and hatchets of American manufacture by the Spanish Repertory, as lately published in the Official Gazette of Havana.

I am,
Sir,

Sir,
Very respectfully,
Your obt servant,
Ramon O Williams
Consul General.

1 Enclosure:
No. 1 - Mr Seidel to Mr Williams,
March 1, 1893.

Enclosure No. 1.

With Despatch No. 1813.

H A V A N A , March 2, 1893.

Copy.

Habana, March 1st, 1893.

Ramon O. Williams, Esq.

Consul General of the United States of America,

Havana.

Dear Sir:

I beg to inform you that after perusal of the Spanish Repertory published in "La Gaceta de la Habana" of the 25th, 26th and the 28th Feb. ult. I did not find the word MACHETES in the whole alphabetical list of goods contained in said repertory. I have only found the following that perhaps answers that kind of goods "Cuchillos", para cortar caña y otros usos agricolas, para usos agricolas y mecanicos". My attention has specially been called to this denomination, because I read in the copy of the spanish repertory in your possession as follows: "MACHETES para la agricultura, las artes y oficios mecanicos, Tabla A, 25." and thinking that your copy is an official one, I am entirely at a loss to explain how the word MACHETES has been changed into CUCHILLOS in the Official Journal of the Government of this Island. I think it of the utmost interest to know which of these words is to prevail, be cause in spanish the word CUCHILLO is properly employed to mean short knives not exceeding twelve inches in the blade, while MACHETES always exceed that length.

I have just been informed that on yesterday, Machetes

No.23,278 and 323 of Collins make,were charged duties as side arms under par.65 of the custom house tariff,their importers Messrs.C.Torres x Co.having protested before the custom house authorities and if this criterion prevails,all machetes will be excluded from the benefits of the Treaty,as Cuchillos only are entitled to such benefits according to the new Repertory.

I must also call your attention towards the absence of the word "Hachuelas" equivalent to "Hatchets in the Spanish Repertory,whilst in the English one you will find it on page 31 as follows: "Axes and Hatchets sched. A,25. Now as such word is not in the spanish repertory the custom house authoritiss have charged duties yesterday - under protest- to the already named firm of C.Torre y Co.that imported them from Collins & Co per SS.Sratoga. Hatchets were admitted free of duty since the first of July 1892,until present.

As agent and representative of Messrs.Collins & Co, I respectfully invite you,to do the necessary so as to have such machetes and hatches of the named firm as are covered by the treaty,protected in due form,and set aside all difficulties that have been imposed to American tools since the Reciprocity Treaty came in force,of all of which you are aware through the several protests made before you until present.

Thanking you beforehand for your kind attention to this matter,

I remain,dear Sir, yours respectfully,

Signed: J.Seidel.

DEPARTMENT OF STATE
MAR 9 1893
RECEIVED

No. 1. U.S. Consulate General
Havana, March 4 1893

Mr. Springer
to the
Department of State.

Advising return from
leave of absence, and resumption
of duty.

No.

U. S. Consulate General.
Havana, March 4 1893.

Hon: William F. Wharton,
Assistant Secretary of State,
Washington.
D.C.,

Sir;

I have the honor to inform the Department, that in conformity with leave of absence granted me under date of Nov 22, instruction no 748, I sailed from this port on the 24' December, and arrived in New York on the 29' Dec'; I left New York on the 25' of February and arrived here on the 1st March, and next day reported for duty.

Very respectfully, Your Obt Servant
Joseph A Springer
Consular Clerk
Ag Consul General.

Received by
Mr Sumner

No. 815.

U.S. Consulate General.
Havana, March 7, 1893.

DEPARTMENT OF STATE
MAR 13 1893
RECEIVED

Mr. Williams
to the
Department of State.

Tender of Services.

---

1 Enclosure.

No. 815.

U.S. Consulate General.
Havana, March 7, 1893.

Honorable William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I enclose herewith
the respectful tender to the
President of the United States
of the continuation of my
Services in this Consulate
General, and beg that the
Honorable Secretary of State
may be pleased to order its
transmission to the
President.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

U.S. Consulate General.
Havana, March 7, 1893.

To the
President of the United States,
Washington,
D.C.

Sir:

I most respectfully tender you, herewith, the continuation of my services in this Consulate General of the United States.

I am, Sir,
With great respect,
Your obedient Servant,
Ramon O. Williams.

DEPARTMENT OF STATE
MAR 16 1893
RECEIVED

Copies to Underwriters' Insurance Co.
1893. Mch.

No. 1816.

U.S. Consulate General.
Havana, March 11, 1893.

Copied 3128193

Mr. Williams
to the
Department of State.

Hulk of the american schooner "C.W. Lewis" grounded in Havana harbor.

2 Enclosures

MENT OF STATE.
SOLICITOR.
MAR 18 1893

Dr. St Clair:

Inform undersigned as requested.

WEG

No. 1816.

U.S. Consulate General.
Havana, March 11, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I have the honor to enclose copy and translation of a communication addressed by the Captain of the port of Havana to this office on the 3d instant and of its answer of the 6th instant, concerning the hulk of the wrecked american schooner "C.W. Lewis," which was brought with her cargo into this port on the 25th of last July under a salvage contract made between the

the master, Mr. J. W. Kennedy, and Mr. J. Santamarina, of this city, with the intervention of the underwriters agent of cargo and vessel, Mr. J. W. Cann.

After the cargo was taken out and shipped to New York, the hulk was left abandoned.

If it meets the judgment of the Department, I would respectfully ask that it inform the National Board of Underwriters of New York of the request of the Captain of the Port.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ram O. Williams,
Consul General.

2 Enclosures.

Enclosure No. 1.

With Despatch No. 1816.

HAVANA, March 11, 1893.

Translation.

Military Commandancy of Marine.

Office of the Captain of the Port.

HAVANA, March 3, 1893.

To the Consul General of the United States,

Present.

Sir:

Under date of the 17th of September last I had the pleasure to address ycu as follows:

"The subscriber chief pilot of this port, in-
"forms Y.E., that the american schooner "C.W.Lewis",
"arrived at this port on the 25th of July last, with
"a cargo of timber and filled with water, is now an-
"chored near key Cruz, on its S.S.E. side, and the time
"ber having been discharged, she is now touching the
"bottom, and without consignee in this port, and only
"at the orders of the american consul and the under-
"writers; and I believe it is urgently necessary to
"put her afloat to prevent the interruption of the
"passage of the place she occupies. The above being
"communicated to Y.E. for your superior decision.

""And considering the above request of the
"chief pilot to be just; I have the pleasure to re-
"fer it to you, for in case you should order that
"the vessel be put afloat by those to whom it may
"concern".

And I have the pleasure to reiterate the same because the said vessel remains still in the same position she occupied at the time that I adressed you on the said date; requesting you to have the goodness to reply with the promptness required by the case.

God guard you many years.

Havana, March 3, 1893.

Signed: Jacobo Aleman.

Enclosure No. 1.

With despatch No. 1816.

H A V A N A , March 11, 1893.

Copy.

Comandancia Militar de Marina.

Capitania del Puerto de la Habana.

Con fecha 17 de Setiembre del año ppdo.tuve el gusto de pasar á V.S.la comunicacion siguiente:

"El que suscribe Práctico Mayor y Celador de "este Puerto,da parte á V.E.que la goleta americana "C.W.Lewis" entrada en este puerto el 25 de Julio "último con cargamento de madera y llena de agua "se encuentra anclada en las inmediaciones de Cayo "Cruz por la parte S.S.E.del referido cayo,y como "quiera que fué descargada la madera que conducía, "esta goleta se halla á pique y sin consignatario "en este puerto y solo á las ordenes del Consul "americano y del seguro; y creo de urgente nece- "sidad de que sea puesta á flote para evitar pueda "quedar interceptado el lugar donde se halla. Lo que "tengo el honor de poner en el conocimiento de V.E. "para su superior resolucion. Y considerando "de justicia lo que expresa dicho funcionario; "tengo el gusto de trascribirlo á V.S.por si tiene "á bien disponer que con la urgencia que requiere "el caso sea puesto por quien corresponda dicho "buque á flote".

Lo que tengo el gusto de reiterar á V.S.por encontrarse dicho buque en la misma situacion y lugar que

cuando le oficié con la referida fecha, rogándole se sirva contestar esta comunicación con la brevedad que el caso requiere.

Dios guarde á V.S.muchos años.

Habana, Marzo 3 de 1893.

Signed: Jacobo Aleman.

Sr.Consul General de los Estados Unidos de America en esta capital.

Enclosure No. 2.

With Despatch No. 1816.

HAVANA, March 11, 1893.

Translation.

U.S.Consulate General.

Havana, March 6, 1893.

Replying to your attentive note of the 3rd instant in relation to the hulk of the american schooner "C.W. Lewis", in this port, I have the honor to say: that according to the information of this Consulate General the said hulk still remains subject to the salvage contract made the 19th July, 1892, between the master, Mr.J.F.Kenneally, and Mr.J.Santamarina of this place, with the intervention of Mr.J.W.Cann, agent of underwriters for said vessel and cargo; the master having made abandonment of the hulk and materials on the part of the owners to the underwriters, according to his letter of the 12th of last December sent through this Consulate to their general correspondent in this city, Mr.Aquilino Ordoñez, whose commercial firm, in conformity with the salvage contract, took charge of the shipment to New York of the timber brought here by the "C.W.Lewis", as appears by the corresponding bill of lading; but Mr.Ordoñez informed this office in his letter of the 13th same month of december that he could not accept the abandonment because prohibited by his instructions. From the above statement you will be able to judge of the present situation of the said hulk and materials.

God guard you many years.

Signed: Ramon O.Williams, Consul General.

To H.E.the Captain of the Port.

Enclosure No. 2.

With despatch No. 1816.

HAVANA, March 11 1893.

copy.

Consulado general de los
Estados Unidos.
Habana, Marzo 6 de 1893.

Contestando al atento oficio de V.S., fecha 3 del presente relativo al casco de la goleta americana "C.W. Lewis", en este puerto, tengo el honor de manifestarle: que segun los informes que existen en este Consulado general queda aun sujeto el dichocasco al contrato de salvamento hecho el 19 de Julio del año ppdo., entre el capitan, Mr.J.F.Kenneally, y Don J.Santamarina, de este comercio, con intervencion de Mr.J.W.Cann, agente de los aseguradores del buque y cargamento; habiendo hecho abandono el capitan Kenneally, por parte de los dueños á los aseguradores del casco y jarcias, segun su carta enviada el 12 de Diciembre de 1892, por conducto de este Consulado General, al Sr.D.Aquilino Ordoñez, el corresponsal general en esta de dichos aseguradores, quien se habia encargado del embarque para Nueva York de las maderas que trajo aqui la "C.W.Lewis", conforme al contrato de salvamento, y segun consta del correspondiente conocimiento; mas el sr.Ordoñez manifestó á este Consulado en carta del 13 del mismo mes que no podia aceptar el abandono del casco y jarcias por prohibírselo sus instrucciones.

De lo arriba relatado podrá V.S. juzgar de la actual situacion de dicho casco y sus jarcias.

Dios guarde a V.S.muchos años.

Signed : Ramon O.Williams,

Consul General.

Excmº.Sr.Comandante Militar de Marina y Capitan del

Puerto de la Habana .

DEPARTMENT OF STATE
MAR 16 1893
RECEIVED

Mr Taisons
Cable. Mar 9 1893.
H.

No. 1817.

U.S. Consulate General
Havana, March 11, 1893.

Mr Williams
to the
Department of State.

Hulk of the american schooner "C.W. Lewis" grounded in this port.

3 enclosures

DEPARTMENT OF STATE.
OFFICE OF SOLICITOR.
MAR 18 1893

Dr. St. Clair:

The owners and the underwriters were both represented at the time of the wreck and the salvage. Neither of them sought consular intervention then or since. Only the Cuban salvors ask the Consul General's aid, and he avowedly to save the expense of a judicial proceeding. Approve the Consul Generals action in refusing to interfere.

W.E.S.

No. 1817.

U.S. Consulate General.
Havana, March 11, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington, D.C.

Sir:

In continuation of my preceding despatch no. 1816 of this date, enclosing copies of the correspondence between the Captain of the port of Havana and this Consulate General in regard to the hulk of the american schooner "C.W. Lewis", grounded in this port, I now beg to submit to the consideration of the Department the copy of a letter dated the 23d. ultimo, received from Mr. J. Santana-rina in relation to this same vessel. 1/

As stated in my previous

previous despatch, Mr. Santa-
maiina entered into a Salvage
Contract with the master of
that vessel, and the agent of
the underwriters, for the
Salvage of vessel and cargo.
The first condition of the
contract: that of saving
and getting the vessel off
and bringing her to Havana,
and Shipment of cargo to New
York was complied with; but
the second condition: that
of the Sale of the vessel by
auction, has never been
carried out. Because,
of this, Mr. Santamaiina
calls on this office to authorize
him to sell the hulk; but
as the question arising between
the parties for the non-
fulfilment of their contract
is not of a Consular but
of a judicial nature; and,
therefore, belonging to the
Courts

Courts of this country; I have desisted in consequence from interfering in the matter, and now submit it to the Department for instructions.

I also enclose copies of the letter of Capt. Kennedy of the 12th. of December last abandoning the vessel to Mr. A. Ordoñez, agent in this city of the National Board of Marine Underwriters of New York; also copy of this agent's reply dated the 13th. of the same month refusing to accept the abandonment. 2/ 3/

I am, Sir,
Very respectfully,
Your obt. Servant.
Ramon O. Williams,
Consul General.

3 Enclosures.

3 enclosures.

No. 1 - Mr Santamarina to
Mr Williams - Feb. 25 —

" 2 - Mr. Kennedy to Mr
Ordonez - Dec. 12/92.

" 3 - Mr Ordonez to
Mr Williams,
Dec. 13/92.

Enclosure No. 1.

With Despatch No. 1817.

HAVANA, March 11, 1893.

Copy.

Havana, 23 February, 1893.

To the U.S.Consul General,

Havana.

Sir:

The american schooner C.W.Lewis, of 306 tons register belonging, I believe, to Baltimore, was wrecked in the Colorados Reefs in July 1892.

I was instructed by Don Aquilino Ordoñez, the correspondent of the underwriters at Havana, under date of the 13th July, to go to the assistance of the said vessel.

I left this port that same night on board the steam tug "Susie" carrying with me a letter to the captain from Don Aquilino Ordoñez, plus an authorization from that Consulate and another from the captain of the port. A lighter was taken in tow by the "Susie" to help in the salvage.

I found the "Lewis" stranded among the reefs and full of water. Finding it impossible to undertake the salvage with the means at hand, I secured the vessel with her anchors and left the lighter alongside discharging and custodying her and returned to Havana on the 15th July.

On the 19th of same month I made a contract with the captain and an agent of the underwriters, as per copy herewith, after which I left off again with more available means for the wreck.

On the 25th of said month I brought the "Lewis" into the port of Havana with part ofthe cargo on board and the rest in five lighters.

The contract has been fulfilled as far as the cargo is concerned,but not so with regard to the vessel as the captain kept putting off its fulfillment with the plea that he was waiting for instructions from his owners and the fact is that nothing has been resolved so far, although seven months have elapsed with the aggravating circumstances that the captain has gone home and I am told,abandoned the vessel which not being metalled may become worm eaten,and will soon be worthless.

If no decision is taken soon every thing will be lost,my work the salvage charges,other expenses which have originated,and are still going on to custody the vessel will be lost without benefit to owners,underwriters or any one else.

In view of which I beg to be authorized to sell the vessel at public auction,for account of whom it may concern,depositing the proceeds,if need be,in the Consulate, until it be decided whom the money belongs to.

If not,rather than institute legal proceedings,costs of which could not be paid,as the vessel would then be worth nothing I shall find myself in the necessity of abandoning the said vessel.

I am,dear Sir,your obedient servant,

Signed: J.Santamarina.

John F.Kenneally,master of the american schooner "C.W.Lewis",stranded in Quebrado de Alacranes,and captain Juan Santamarina,of Havana,do hereby agree:

First. Captain Santamarina undertakes the salvage of the said vessel and cargo,bringing the vessel to Havana, if she can be got off: if not,he is to bring the cargo to Havana to be delivered alongside of the steamers or sailing vessels to be mentioned by Mr.Aquilino Ordoñez,so as to be reshipped to New York,per first opportunity of sail or steam,american or spanish,charging equal freight, receiving for his services,fifty per cent of all he may save of hull and cargo.

Second. The value of the cargo is to be appraised by experts in this port on its being reshipped to New York for the purpose of determining the fifty per cent to be paid to captain Santamarina; while the value of the vessel will be ascertained by her proceeds at auction or by mutual agreement.

Third. Captain John F.Kenneally accepts the above terms of salvage and settlement.

Havana,July 19th, 1893.

Signed: J.Santamarina. Signed: J.F.Kenneally.

J.W.Cann,

Agent for underwriters on said vessel and cargo.

I hereby certify that the preceding is an exact copy of the original contract signed by captain John F. Kenneally,J.W.Cann and myself.

Signed: J.Santamarina.

Enclosure No. 2.

With Despatch No. 1817

HAVANA, March 11, 1893.

Copy.

Havana, Cuba, Dec. 12, 1892.

Ramon O. Williams, Esq.

U.S. Consul General at Havana.

Dear Sir:

I enclose herewith letter addressed to A. Ordoñez, Esq. notifying him of abandonment of the amer. Schr. "C.W. Lewis", which you will kindly deliver to him.

and much oblige yours truly,

Signed: J.F. Kenneally,

Master of schr. C.W. Lewis.

Enclosure No. 2.

With Despatch No. 1817.

H A V A N A , March 11, 1893 .

Copy.

Havana, Dec. 12, 1892.

A. Ordoñez, Esq.

Agent National Board of Marine Underwriters

of New York.- Havana, Cuba.

Dear Sir:

The owners of the schr. "C.W.Lewis ", which vessel now lies at this port a wreck, having abandoned her to underwriters, I hereby notify you that I turn over and deliver to you, for account of said underwriters, the hull and materials of said vessel.

Yours respectfully,

Signed: J.F.Kenneally,

Master of schr. "C.W.Lewis".

Enclosure No. 3.

With despatch No. 1817

HAVANA, March 11, 1893.

Copy.

Havana, Dec. 13, 1892.

Ramon O. Williams, Esq.

Consul General of the United States,

Havana.

Dear Sir:

In reply to your favor of the 12th instant accompanying a letter from Capt. J.F. kennieally of the schr. C.W. Lewis, I have to say that my general instructions prohibit me to accept any abandonment of vessel, cargo or any other interest; and that in the case of the C.W. Lewis I confirm what I told you in my letter of the 9th instant, that I have no instructions from the underwriters and cannot in consequence intervene in the matter.

Requesting you to hand the enclosed to Capt. Kenneall

I remain, dear Sir,

Very respectfully,

Signed: Aquilino Ordoñez.

file

DEPARTMENT OF STATE
MAR 17 1893
RECEIVED

2D ASSISTANT SECRETARY.
Ack by subject and file, awaiting result
MAR 17 1893

No. 1818.

U.S. Consulate General.
Havana, March 11, 1893.

Mr. Williams
to the
Department of State.

Complaint of Miss Mattie A. Myers and others.

2 enclosures.

No. 1818.

U.S. Consulate General.
Havana, March 11, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I have the honor to enclose for the information of the Department a copy and translation of the communication that I addressed to the Governor General of this Island on the 10th instant on presenting for his consideration and decision the complaints made before me on the 6th instant by the following named young american women: Misses Mattie A. Myers, Emma Foster, Lida Swank, Sadie Bradley, Frankie Schultz,

So

1/

Douglas, Lizzie Schultz,
Lottie Livingston and
Jeanette Kessler; because
of an outbreak of disorderly
men that took place, while
they were performing a game
of base ball at the Almen-
dares Play Grounds, at this
city, on the 5th. instant, for
which they were authorized
by license of the local Authori-
ties on the payment by the
contractor of the corresponding tax.

It is difficult to dis-
cern the real cause or causes
of this sudden outbreak.
Certain it is, however, there
was nothing in the appearance
and conduct of these young
and harmless american
girls to incite the acts of
violence described by the
public press as having taken
place on the occasion.

Bth

But the most probable cause, seemed to have been the absence of the ——— police force usual at such ex-hibitions. The fact of the same day having, too, been election day for deputies to the Cortes of Spain, and nearly all the police of the city having been detailed to keep order at the polls; the consequent withdrawal of this restraint over disorderly men, at the Play Grounds will likely have emboldened them to commit the attack on the girls, the robbery of the gate money, and the other outrages re-ported by the newspapers; and also stated by the girls, as appears from the accompanying 2/ copies of their complaints.

I annex a copy of the weekly sheet

La

La Caricatura giving a picture of these female players in group; as also of some of the damages wrought against the buildings of the Play Grounds by the mob.

As soon as an answer is received from the Governor General, I will transmit it to the Department.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams,
Consul General.

2 enclosures:

No. 1 - Mr. Williams to Governor General - March 10 -

" 2 - Copy of complaints

Enclosure No. 1.

With despatch No. 1818.

H A V A N A ,March 11, 1893.

Translation.

U.S.Consulate General.

Havana,March 10,1893.

To His Excellency the Governor General

of the Island of Cuba.

Excellency:

I have the honor to submit herewith for the consideration and resolution of Y.E.,the complaints made before this Consulate General on the 6th instant by the Misses Mattie A.Myers,Emma Foster,Lida Swank,Sadie Bradley,Fronie Schultz,Jo Douglas,Lizzie Schultz,Lottie Livingston y Jeannette Kessler,citizens of the United States,because of having been the victims of a riotous outbreak last Sunday,the 5th instant,at the Almendares Play grounds,while performing under an engagement at a game of base ball,for which they were authorized by a license granted to the contractor by the local authority on payment of the usual tax.

The statements of these young american women,are so well corroborated by the accounts published by the press of this city,as well,unquestionably,by the reports of the police Authorities,that I cannot less then suppose Y.E.must already be so fully informed of the particulars of the affair as to render further explanation useless on my part.

Therefore, and confiding in the high sense of justice of Y.E., for the obtainment of the reparation due, under the laws, to these american citizens for the losses of their personal property, amounting to $725; as also for the damages, yet to be fixed, suffered by the interruption of their professional occupation from the mob, I now accordingly submit the said complaints to the consideration of Y.E., trusting to be seasonably informed of your decision.

I have the honor to be with great respect Y.E.'s obedient servant,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 1.

With despatch No. 1818.

H A V A N A , March 11, 1893 .

Copy.

Consulado General de los
Estados Unidos.
Habana, Marzo 10 de 1893.

Excmo.Sr.Gobernador General
de la Isla de Cuba.

Excmo.Sr:

Tengo el honor de someter á la consideracion y resolucion de V.E.las adjuntas quejas hechas ante este Consulado General el 6 del corriente por las Señoritas Mattie A.Myers, Emma Foster, Lida Swank, Sadie Bradley, Fronie Schultz, Jo Douglas, Lizzie Schultz, Lottie Livingsten y Jeannette Kessler, ciudadanas americanas, por haber sido victimas de un atropello por parte de un gentio desordenado el Domingo pasado, 5 del corriente, en los terrenos de Almendares mientras celebraban un juego de base ball para el cual estaban autorizadas por una licencia expedida por la autoridad local, mediante el pago por el empresario de la correspondiente contribucion.

Las relaciones de estas jovenes americanas estan tan bien corroboradas por las noticias publicadas por la prensa de esta ciudad, como, sin duda lo seran tambien por los informes de la policia, que no puedo menos de suponer que estara V.E. tan bien enterado ya de los particulares de este asunto que se hace innecesario mas explicacion por parte mia.

Por tanto y contando con el alto sentimiento de justicia que anima a V.E.,para el logro de la reparacion debida,bajo las leyes,a estas ciudadanas americanas,por la perdida de sus propiedades personales montante a $725,oro,como asimismo por los daños,aun por fijarse, causados por la interrupcion de su ocupacion profesional por el molote,someto ahora,con esta mira,sus referidas reclamaciones a la consideracion de V.E.esperando merecer que se me de oportuno aviso de la resolucion de V.E.

Tengo el honor de ser de V.E.con el mayor respeto, ato.S.S.Q.B.S.M.

Signed : Ramon O.Williams,

Consul General.

Enclosure No. 2.

With Dispatch No. 1818.

HAVANA, March 11, 1893.-

Copy.

U.S.Consulate General,Havana,March 6th1893.

On this day,before me,the undersigned,Consul General of the United States at Havana,personally appeared Miss Mattie A.Myers,known professionally as Bertha Gordon,who being by me duly sworn declared as follows: that she is a native and resident of the city of Philadelphia,Pa,1513 Park Avenue; that she is 22 years of age,un-married ,and by occupation a professional base ball player ; that in or about the 20th of February last,she made a verbal contract with Mr.Edward Laborde,of Havana, to come to Havana,Cuba,with other young female ball players,to play a series of exhibition base ball games in the Island of Cuba,during six weeks; that in pursuance of said contract,she sailed with the others hereinafter named,from the city of New York,on board Steamer "YUCATAN",on the 25th of February last,with Mr.Edward Laborde,as the manager of said troupe of ball players,and arrived at Havana on Wednesday,the 1st March ; that according to the conditions of their contract,she and the others,were engaged to play an exhibition game at the ball grounds,known as the Almendares Club Grounds in this city,she holding the position of captain and pitcher of the nine.

That together with the rest of her companions,they dressed in their base ball uniforms at the Hotel where they were stopping,and in carriages proceeded to the said

grounds, at about two o'clock on Sunday afternoon, March 5. Here there was gathered a crowd of spectators in the Grand Stand, side seats, and on the grounds of over 5000 persons. After the usual preliminaries the game commenced by their having first innings at the bat and making one run before the side was struck out; when they were struck out, the nine against whom they played, being young Cubans of local clubs, went to the bat, and the game proceeded ; that she then suddenly heard some shouting among the spectators who occupied the side seats, occupied principally by whites, negroes and mulattoes, these being the cheapest priced seats, -- and she supposed that it was directed against a carriage that had just entered the grounds and drove along in front of these seats, because they had also received a shouting welcome when they arriv ed at the ball grounds in their carriages; but suddenly the grounds were invaded by a mob of part of the said spectators from the side seats, who threw down the fences of the inclosure, and the game was stopped by the umpire and she and the pther players called in, then followed by a yelling and howling and rapidly increasing crowd of several hundred persons, threatening them in language whic which they did not understand, and protected onlyb by the manager, some of his friends and the Cuban players, they made their way to the Grand Stand, followed by the mob; that they were then forced to take refuge in one of the bedrooms of a family, which bedroom had iron-barred windows ; that the mob threw stones through the windows, obliging them to lie down on the floor to escape baing struck ; while making her way to the stand, this appearer

was struck in the back by a base ball bat in hands of some one in the crowd, and her clothes torn, some of her companions were also struck and bruised and had their clothes and badges torn off, and all their coats and wraps and some jewelry and money stolen from them, and she felt that she was in danger of her life. During all this tumult she did not see a policeman or guard of any kind for their protection; and with all the others she was obliged toremain shut up in the bedroom mentioned, alarmed for her safety and that of her companions, on account of the shouts and cries of the mob outside of the rooms, who beat against the board walls, with sticks and fists, and also from the smoke caused by fire set to the reporters stand, and the report that fire had been set to the grand stand, until the arrival of the soldiers and the police sent by the authorities for their protection. A messenger was sent to their hotel to bring their wearing apparel to change for their uniforms and enable them toget away without observation, and at about 5.30 P.M. they succeeded in leaving the place, being obliged to climb over the railing of the veranda in rear of said rooms of the grand stand, and whence with difficulty they made their way on foot through the roads and lanes in the rear, towards the railroad to Marianao; after leaving the stand, they were accompanied by their manager, Mr. Laborde, some of his freinds and escorted by quite a number of soldiers until they arrived at the Tulipan Station, and waited here about half an hour until the seven o'clock train to Marianao, where they went and got dinner. At about eleven o'clock they all returned to Havana, but

getting off at different stations so as to escape further notice and molestation.

This appearer further declares ahat she was informed that the mob seized the money received at the gate, thereby causing her as well as the rest of her companions the loss of her pay for their salary and expenses.

WHerefore this appearer doth protest against the treament to which she as well as her companions has been subjected throughthe failure of the authorities to have proper police force for their protection ; and claims damages against the Spanish Government for the losses sustained and the danger to her person and life to which ,she was exposed by the action of the mob.

This appearer further declares that her personal losses consisted of her coat, silk muffler and two valuable rings which she took off and put in her coat, and the ruin ofm her base ball costume, by being torn; and estimates the monry value of her loss about One hundred dollars gold; as well as the loss of her salary as yet unpaid, and her engagement of six weeks work.

(Signed) Mattie A.Myers, otherwise Bertha Gordon.

Thus sworn to and subscribed before me this 6th day of March, 1893.

(Signed) Ramon O. Williams.

Consul General.

Note:

The foregoing statement was read over to the other appearers whose names are stated in the dispatch, and by them concurred in , subscribed and sworn to.

To Mr. L. F. Hunt
Consul U.S.
Santiago de Cuba
March 14, 1893
No. 1819.

U.S. Consulate General.
Havana, March 14, 1893.

DEPARTMENT OF STATE.
MAR 22 1893
RECEIVED

Received 3/28/93

Mr. Williams
to the
Department of State.

Acknowledging receipt of Department's instruction no. 763 of the 21st ultimo in relation to a criminal suit pending against Mr Edward S. Bull at Santiago de Cuba.

DEPARTMENT OF STATE.
OFFICE OF SOLICITOR.
MAR 24 1893

Mr. Alex. ~~Porter Morse~~, Attorney in this matter, desires a copy of this despatch (No. 1809 from Havana) and of the instruction to which it is a reply. I think he should have them.

W. E. Faison

Give the Copies.

SB

No. 1819.

U.S. Consulate General.
Havana, March 14, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 763 of the 21st ultimo, with enclosures, in relation to the criminal suit pending against Mr. Edward S. Bull, an american citizen, before the Superior Court of the Province of Santiago de Cuba.

As the said Superior Court of Santiago de Cuba is as independent of the jurisdiction of the Superior Court of the Province of Havana,

Havana, with respect to the Supreme Court at Madrid, as the similar Court of the State of Maryland is of that of the State of South Carolina, with respect to the Supreme Court at Washington; ——— and with the view of being enabled to follow a judicious course in carrying out the instructions of the Department for the bringing of this affair to the attention of the proper authorities, I have therefore written under this date to Mr. Twitchell, our consul at Santiago de Cuba, asking him to ascertain and inform me circumstantially of the present state of this suit at the Court there.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

Mr. Grunsell

Received March 18th 1893.

3RD ASSISTANT SECRETARY. MAR 18 1893

Havana, Mar. 16. 1893.

No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to conditions printed thereon and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

RECEIVED MAR 17 1893

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
NNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
BLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:

All Offices (20,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:

DON:
No. 21 Royal Exchange, E. C.
No. 109 Fenchurch Street, E. C.

LIVERPOOL: A5 Exchange Buildings.
GLASCOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

6 — 7 pm

NUMBER	SENT BY	RECD BY	No. OF WORDS.	FROM
102	Du	JW	187	Havana Goot

RECEIVED at 189

Secretary of State

Washn

Remonstrating according departments
telegraphic instruction twenty eight last
June & Schedule a paragraph thirty
five & english spanish repertories
printed by Department against

threatened attachment property importers
for Duties exacted on fruits fresh
dried and preserved except raisins
imported since first September
ninety One and first July ninety
two under transitory and
definitive arrangements am

3RD ASSISTANT SECRETARY.
MAR 20 1893

Confirm cable.
This question was discussed at some length when the report was compiled.
The Spanish Govt claimed that all fruits in can

of jars should properly be included under No 59 of schedule C. As its interpretation would justify this. Mr Foster conceded that fruits preserved in alcohol or sugar

should be included under No 59 of Schedule C & not No 35 of schedule A.

Wmr.

informed by Regional Governor
that Spanish minister in
Washington telegraphs that Misunderstanding
arises from mistake in English -
reporter printed in Washington that
On his timely representation at
Department he was informed

it made no difference to
the Government of the United States
and that Mistake should be
Corrected in the Spanish text
published here twenty fifth Ultimo
which transposes and subjects
said fruits to duties under Schedule

C. paragraph fifty nine
the Statements of Spanish Minister
Are so directly opposed to departmental
instructions Six hundred Seventy
Six Six hundred Seventy nine and
Seven hundred fifty that the
Urgency of the Case and

interests of imperative oblige me
to ask you for telegraphic
instructions

Williams
Consul General

Mr. Grinnell.

No. 1820.

DEPARTMENT OF STATE
MAR 23 1893
RECEIVED

U.S. Consulate General.
Havana, March 18, 1893.

Mr. Williams
to the
Department of State.

Fines aggregating $850 imposed by the customs authorities of this port and alleged to have been incurred eighteen years ago by the american steamers "Tappahannak" and "Margaret."

Two enclosures.

No. 1820.

U. S. Consulate General,
Havana, March 18, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my despatch no. 1107 of the 11th April, 1890, and with reference to the accompanying copy of the note of the acting Governor General to the Intendant General of Finance on the 28th of March of the same year, in regard to the embargo then threatened on the property of Messrs. Lawton Brothers of this city, as custom house agents of the american steamers "Pappahannak" and "Margaret" for fines aggregating $850,

$850, alleged to have
been incurred by those
steamers some fifteen
years before, I have now
2/ to enclose for the conside-
ration of the Department
a copy of the protest I ad-
dressed the Governor General,
against an attachment
imposed on the 16th instant
by the Collector of arrears
on 600 bags of flour, the
personal property of Messrs.
Lawton Bros, for the collection
of the fines, as said, dating
back 18 years ago.

I am, Sir, very respectfully,
Your obedient servant,
Ramon O. Williams,
Colonial General.

2 Enclosures:
No. 1 - The acting Governor Genl to the
Lieutenant Genl of Finance - Mar. 28/90.
" 2 - Mr. Williams to the Governor
General - Mar. 17/92.

Enclosure No. 1. 1820.
With Despatch No.
H A V A N A , March 18,1893.

Copy, translation.

Communication to His Excellency the Intendant General of Finance, dated the 28th of March, 1890.- Urgent-

Excellency:- I remit you the accompanying official letter adressed me by the Consul General of the United States soliciting the suspension of the attachment decreed by the custom house of this port against the firm of Messrs. Lawton Bros. of this city, for fines imposed on the american steamers "Margaret" and Tappahannak" of which they are consignees; that with the urgency required Y.E. bs. pleased to dictate the resolution that may be in order under the treaty with the United States of 1795 invoked by the Consul. I desire Y.E. to communicate to me the resolution that may be adopted in the matter so as to transmit it to the Consul. - God guard Y.E. etc.

Signed: Sanchez Gomez.

Enclosure No. 1.
With Despatch No. 1820.
H A V A N A , March 18,1893.

Copy.

Comunicacion al Excmo.Sr.Intendente General de Hacienda,en 28 de Marzo de 1890.- Urgente- Excmo.Sr:- Remite a V.E.la adjunta carta oficial que me dirige el Sr. Consul general de los Estados Unidos en solicitud de que se suspenda el embargo decretado por la aduana de este puerto contra la casa de los Sres.Lawton hermanos de este comercio,por concepto de multas impuestas á los vapores americanos "Margaret" y "Tappahannak"de que aquellos son consignatarios; á fin de que,con la urgencia que el caso reclama,se sirva V.E.dictar la resolucion que proceda,teniendo presente lo preceptuado en el Tratado celebrado con los Estados Unidos en 1795 que invoca dicho Sr.Consul. Espero me comunique V.E.la resolucion que se adopte en el particular,para ponerla en conocimiento de este funcionario. Dios etc.- Sanchez Gomez.

Enclosure No. 2.
With Despatch No. 1820.
H A V A N A , March 18,1893.

Translation.

U.S.Consulate General.

Havana,March 17,1893.

To His Excellency the Governor General

of the Island of Cuba.

Excellency:

I have to inform Y.E.that the Collector of the Bureau of Arrears,an office of recent creation,placed an attachment yesterday on six hundred bags of american flour belonging to Messrs.Lawton Brothers,who acted as the custom house agents for the american steamers "Tappahannak " and "Margaret" on their voyages to this port in the year 1875; the reasons alleged by the collector for this proceeding being that these steamers had not yet paid certain fines aggregating $850,gold, said to have been incurred for short delivery of three pieces of baggage and a package of machinery found short on discharging their cargoes,in the said year 1875,or say eighteen years ago.

In presenting this case to the consideration of Y.E. I have to protest in the name of the Government of the United States against the proceeding for the following reasons:

First: because the customs regulations of the Island obligate the officials under proper bonds for the reparation of any losses that the Treasury may sustain either from negligence or bad faith in the performance of their duties; and because it was their duty to have collected these amounts,if owed,within the proper time.

Second: because the right of the Treasury to claim against these american steamers, has already expired by limitation, this right being confined to five years, and eighteen have already passed.

Third: because the proceeding of the Collector of Arrears is contrary to article 7 of the Treaty of 1795, which reads as follows:

"And in all cases of seizure, detention or "arrest, for debts contracted, or offences committed "by any citizen or subject of the one party, within "the jurisdiction ofthe other, the same shall be "made and prosecuted by order and authority of the "law only, and according to the regular course of "proceedings usual in such cases. The citizens and "subjects of both parties shall be allowed to employ "such advocates, solicitors, notaries, agents, and fac- "tors as they may deem proper, in all their affairs, "and in all their trials at law, in which they may be "concerned, before the tribunals ofthe other party; "and such agents shall have free access to be pre- "sent at the proceedings in such cases, and at the "taking of all examinations and evidence which may "be exhibited in the said trials".

From the above exposition Y.E., without doubt, will at once perceive the three grave errors of procedure committed by the Collector of Arrears in this case: first, his omission to proceed against the officials as provided by the Customs Regulations; second, his disregard of the law of prescription in its application to the case and; third, for the still more grave error of not observing the procedure covenanted by the said article 7,

of the Treaty between Spain and the United States, under which the american citizens, owners of these steamers, are accorded the right, correlative throughout the spanish dominions with the similar right of spanish subjects throughout the United States, of being tried by the courts of this country, with the employment of such advocates, solicitors, notaries, agents and factors as they may judge proper, with right of rebuttal and of access at all the proceedings; but instead of this rational and just course having been pursued as covenanted by the Treaty, the collector of arrears, whose functions are purely administrative and not judicial, has not only decreed an attachment against the personal property of the agents, Messrs. Lawton Bros., for account of these american steamers; but has even carried the authority of his administrative functions so far beyond their proper sphere, as to disregard the local law, in its adjustment to the treaty, in their application to a case of an exclusively judicial character as the present one surely is.

In view, therefore, of this irregularity of procedure on the part of the collector of arrears, I have to ask that Y.E. be pleased, in the exercise of the superior authority with which Y.E. is delegated, to order (1) the annulment of this attachment of the 600 bags of flour of Messrs. Lawton Bros, who were agents of the american steamers "Tappahannak" and "Margaret"; and (2) that the case be presented by the collector of arrears, against whom it may concern, before the proper local court, leaving the defendant or defendants in the complete possession and free exercise of their legal rights of defense, as

accorded them by the laws of Spain, and secured them by the said article 7 of the treaty between Spain and the United States.

And now, Excellency, just as I was about to close this protest I have the singular good fortune to receive the attentive and luminous reply of Y.E., addressed me through the Hon. Secretary of the General Government, under date of the 15th instant, to my remonstrance of the 21st of January in relation to the fumigation, not on board, of the foreign correspondence brought here via Tampa, during the prevalence of cholera in Europe last summer, by the Plant line of american steamers, from which communication I am pleased to notice that the provisions of said article 7 of the treaty are to be acknowledged as the rule of procedure in the case of the Plant steamers; and all I ask now in regard to the claim against these other american steamers, the "Tappahannak" and "Margaret", is that the like procedure be adopted of submitting it likewise to the courts; because of pertaining by reason of its nature to the judicial, and not to the administrative branch of Government.

I have the honor to be with great respect, Y.E.'s obedient servant,

Signed: Ramon O. Williams,

Consul General.

Enclosure No. 2.
With Despatch No. 1820.
H A V A N A , March 18,1893.

Copy.

Consulado General de los

Estados Unidos.

Habana,Marzo 17 de 1893.

Excmo.Sr.Gobernador General de la Isla de Cuba.

Excmo.Sr:

Tengo el honor de poner en conocimiento de V.E. que el Sr.Administrador Provincial de la Seccion Temporal de Atrasos,oficina de reciente creacion,ha embargado ayer seiscientos sacos de harina americana pertenecientes a los Sres.Lawton Hermanos,quienes actuaren como agentes de aduana por los vapores americanos "Tappahannak" y "Margaret" en sus viajes á este puerto en el año de 1875; las razones que aduce dicho Sr.Administrador para este procedimiento son: que aun no habian satisfecho dichos vapores ciertas multas ascendentes á $850,oro,que se dice han incurrido por faltar tres piezas de equipaje y un paquete de maquinaria que se notaron de ménos al descargar sus cargamentos en el citado año de 1875,ó sea ahora diez y ocho años.

Al presentar este caso á la consideracion de V.E. tengo que protestar en nombre del Gobierno de los Estados Unidos contra este procedimiento,fundándome en las siguientes razones:

Primero: porque las Ordenanzas de aduanas de esta Isla exigen á los empleados una fianza para la reparacion de cualquier pérdida que pudiera sufrir la Hacienda á consecuencia de negligencia ó mala fé de parte de aquellos

en el desempeño de sus funciones; y porque era su deber el cobrar en su oportunidad estas cantidades, si á ello era acreedora la Hacienda.

Segundo: porque el derecho que tuviera la Hacienda para reclamar contra estos vapores americanos ha caducado ya, por cuanto este derecho se halla limitado á cinco años, y han transcurrido ya diez y ocho.

Tercero: porque el procedimiento practicado por el citado Sr. Administrador de la Seccion de Atrasos es contrario al artículo 7 del Tratado de 1795, que dice:

"Y en los casos de aprehension, detencion ó
"arresto, bien sea por deudas contraidas ú ofensas
"cometidas por algun ciudadano ó súbdito de una de
"las partes contratantes en la jurisdiccion de la
"otra, se procederá únicamente por orden y autoridad
"de la justicia, y segun los trámites ordinarios
"seguidos en semejantes casos. Se permitirá á los
"ciudadanos y súbditos de ambas partes emplear los
"abogados, procuradores, notarios, agentes y factores
"que juzguen mas á propósito en todos sus asuntos y
"en todos los pleitos que podrán tener en los tri-
"bunales de la otra parte, á los cuales se permitirá
"igualmente el tener libre acceso en las causas,
"y estar presentes en todo examen y testimonio que
"pudieran ocurrir en los pleitos".

De la anterior exposicion, sin duda, percibirá V.E. los tres graves errorres de procedimiento comteidos por el Sr. Administrador Provincial de la Seccion Temporal de Atrasos en este caso: primero, por dejar de proceder contra los funcionarios conforme á lo dispuesto por las

Ordenanzas de Aduanas; segundo, por desatender la ley de prescripcion en su aplicacion al caso; y tercero, por el aun mayor error de no observar el procedimiento convenido por el citado articulo 7 del Tratado entre España y los Estados Unidos, bajo el cual se concede á los ciudadanos americanos, como son los dueños de estos vapores, iguales derechos en los dominios españoles á los que gozan los súbditos españoles en los Estados Unidos, de ser juzgados por los tribunales de este pais, permitiéndoles emplear los abogados, procuradores, notarios, agentes y factores que juzguen mas á proposito asi como el derecho de refutar los cargos y tener libre acceso á todos los procedimientos; pero en vez de seguirse este curso racional y justo de acuerdo con lo convenido en el tratado, el referido Sr. Administrador de la Seccion Temporal de Atrasos, cuyas funciones son puramente administrativas y no judiciales, no solo ha decretado un embargo contra la propiedad personal de los agentes, los Sres. Lawton Hnos, por cuenta de estos vapores americanos; sino aun ha propasado su autoridad hasta el punto de desatender la ley local en su ajuste al tratado en sus aplicaciones al presente caso.

Por lo tanto, y en vista de la irregularidad en el procedimiento observado por el Sr. Administrador de la Seccion de Atrasos, tengo que solicitar que se sirva V.E., en el uso de la superior autoridad de que V.E. se halla investido, ordenar (1) la anulacion de este embargo sobre los 600 sacos de harina de los Sres. Lawton Hnos, agentes que fueron de los vapores americanos "Tappahannak" y "Margaret"; y (2) que el Sr. Administrador de referencia

presente el caso contra quien corresponda ante competente tribunal local, dejando al demandado ó demandados en la plena posesion y libre ejercicio de sus derechos legales de defensa, que les conceden las leyes de España, y tambien asegurados por dicho articulo 7 del Tratado entre España y los Estados Unidos.

Ahora bien; Excmo.Sr., justamente en el momento que me disponia á terminar esta protesta, tengo la singular buena fortuna de recibir la atenta é ilustrada comunicacion que V.E., por conducto del Ilmo.Sr.Secretario de ese Gobierno General, se sirvio dirigirme con fecha 15 del corriente en contestacion á mi representacion del 21 de Enero relativa á la fumigacion, no abordo, de la correspondencia extrangera conducida aqui via Tampa por los vapores americanos de la línea de Plant durante el verano último cuando prevalecia el colera en Europa; en cuya comunicacion veo con gusto que el procedimiento en el caso de los vapores de la linea de Plant será ajustado á lo que previene el referido artículo 7 del Tratado; y todo lo que solicito ahora, en cuanto á la reclamacion contra estos vapores americanos, "Tappahannak" y "Margaret", es que se adopte analogo proceder de someter el caso a los tribunales; por pertenecer por razon de su naturaleza a lo judicial yno al ramo administrativo de Gobierno.

Tengo el honor de ser de V.E., con el mayor respeto, ato.S.S.Q.B.S.M.

Signed: Ramon O.Williams,

Consul General.

W. Mr. Grinnell

No. 1821.

U.S. Consulate General.

Havana, March 18, 1893.

DEPARTMENT OF STATE
MAR 24 1893
RECEIVED

Mr. Williams

to the

Department of State.

Duties on preserved fruits under par. 9 of the transitory schedule and par. 35, schedule A. of the reciprocity agreement between Spain and the United States

4 Enclosures

No. 1821.

U.S. Consulate General.
Havana, March 18, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir:

With reference to my previous despatches and to the corresponding instructions from the Department noted at foot, I now have the honor to accompany for its information a copy of a complaint addressed to this Consulate General on the 8th instant by sundry importers of american provisions in this market with reference to

"Fruits, fresh, dried and

"and preserved, except
"raisins,"
received either for their own
account or for account
of their american cor-
respondents under the transi-
tory schedule, paragraph
9, commencing on the 1st
of September, 1891, and
schedule A, paragraph 35
of the definitive agreement,
commencing on the first
of July, 1892, of the reciprocity
agreement between the United
States and Spain.

As expressed in the
complaint of the said im-
porters, these american goods
had been held to be free of
duties, national as well as
provincial, on their im-
portation here, not only (1)
under the language of the
agreement, and the (2) several
rulings

rulings of the Peninsular
and Insular Governments,
but likewise (3) under the
instructions of the Department
to this Consulate General.
Accordingly, large shipments
of these fruits preserved in
cans have been received
from the United States. Lately,
however, the importers have
not only had the duties
charged to them, but they
have likewise been fined
for having entered them at
the custom house, according
to the already accepted sense,
in the case, of the agreement,
instead of under the changed
text of the Spanish repertory
as published in the Havana
Gazette, last month; and it
not appearing from the informa-
tion on record in this
Consulate General that there
was any authorization given
by

by the Government of the United States to that of Spain for this alteration of the repertory, I called, therefore, as soon as possible on the Governor General to inquire into this new difficulty. His Excellency informed me that he would immediately consult his Government for instructions. And on the evening of the same day, the 15th. instant, I received a note from the Regional Governor who was present at my interview with the Governor General, telling me that the whole misunderstanding in the case had arisen from an error of print in the text of the english repertory in Washington; that the correct version being the one published in the Havana Gazette of the 25th., 26th and 28th

2/3

28th of last month; because exact with the original manuscript, according to which:

"all fruits imported
"in tin cans and preserved
"in syrup or in alcohol"

should be appraised and pay duty according to table C paragraph 59; further, that the minister had made timely remonstrance at the Department of State, where he was informed it was a matter of indifference, and could be corrected in the Spanish text, as was done, without the apprehension of any remonstrance from the Government of the United States. But this information was so contrary to that on the files of this office, as will be seen from the

the perusal of the despatches and instructions above referred to, that I found myself obliged to ask for instructions from the Hon. Secretary of State in my telegram to him of the 16th instant, of which a copy is herewith accompanied, and to which I received his answer of the 18th saying:

4/

"Fruits fresh and
"dried under schedule H 35.
"If preserved in syrup
"or alcohol under C 59,"

which instruction settles the dispute, and I have, accordingly, made the corresponding modifications in the english and spanish repertories on file at this Consulate General.

I am, Sir, very respectfully,
Your obedient servant,

Ramon O. Williams,
Consul General.

Despatches referred to above:

No. 1454 — December 17, 1891.
" 1477 Janᵛ. 28, 1892.
" 1484 Febʸ. 12 "
" 1510 March 10 "
" 1512 " 15 "
" 1517 " 17 "
" 1520 " 18 "
" 1547 April 22 "

Instructions referred to above:

No. 676 Janᵛ. 13, 1892
" 679 " 16th "
" 750 Dec. 19th "

Four enclosures:

No. 1 - Complaint of importers.
" 2 - Regional Governor to Mr. Williams, March 15, 1892.
" 3 - Mr. Williams to same - " 16 "
" 4 - Telegram to Dept. of State " " "

Enclosure No. 1.

With Despatch No. 1821.

H A V A N A , March 18, 1893.

Translated by Consul General Williams.

---o---O---o---

To the Consul General of the United States,

Present.

The undersigned, importers of provisions in this city, have the honor to call your attention to the following expression of facts:

That someof the undersigned on their account and others on account of merchants residing in the United States, have been importing from the first of September, 1891, on which date the reciprocity agreement between Spain and the United States commenced, which was followed by the definitive treaty commencing on the first of July of the following year, numerous and large lots of preserved fruits in cans, which under the transitory, as well as under the definitive agreement, are declared free of duties, national as well as provincial on the importation here.

At the beginning some of the custom house officials put difficulties in the way of appraising the said fruits under paragraph 35 of schedule A of the definitive agreement, adducing subleties thereto which were finally removed by H.E. the Governor General, according to the note addressed you on the 10th of November, 1892, on which the said merchandise was declared free of duties because of being included in paragraph 35 of schedule A of the

agreement with the United States; but almost inmediately after that decision, on receiving other lots of the same fruits, the importers were fined for having entered them free, together with the exaction of the payment of duties as belonging to schedule C, thereby giving rise to protests and leaving the entries awaiting their decision till the publication of the repertory then just concluded at Washington between the representatives of both countries.

Some copies of the repertory of the english text were received about the end of last year and the undersigned were pleased to observe that it was clearly declared therein that fruits, fresh, dried and preserved, except raising, were free of import duties under paragraph 35, schedule A; but this satisfaction was turned into a disagreeable susprise on the publication in the Gazette of this city, of the repertory in the spanish text, in which under the same nomenclature of fruits, fresh, dried and preserved (except raisins) they are placed under paragraph 59, schedule C; and, therefore, instead of being free, are subjected to an impost of 50 per cent under the Cuban tariff. The English text is in exact agreement with the treaty and the first repertory published in the Gazette of this city. The present spanish text is in complete contradiction with the treaty and repertory, and as in that Consulate of your worthy charge there must be official copies of both the Spanish and English texts, the undersigned beg you to have the goodness to compare the copies of the Gazette of Havana of the 25th of February last and if from the comparison there results, as

it surely will, that the strange error has been committed in the Gazette of transposing these fruits from the schedule A to which they belong to schedule C to which they do not belong; you will therefore please take the necessary steps for the correction of this error; preventing the damages inflicted on american merchants whose interests in this matter are connected with our own, dispelling at the same time the suspicion that might arise as to the good faith of our Government in the fulfillment of its treaty obligations with the United States; because of errors committed by subaltern officials, of but little experience in affairs of this nature.

Under this date the undersigned have been notified by the custom house that they must pay duties on all the fruits imported from the United States since the treaty was promulgated. You can see for yourself the gravity of the case and the urgency of decision.

The undersigned avail themselves of the present occasion to offer you their regards.

Havana, 8 March, 1893.

(Signed) Berris Roca y Ca.

do. Miro y Mantecon.

do. Salceda Roda y Ca.

do. S.G.y Ruiz.
pp.A.Pellon.

do. Berenguer Negra y ca .

do. J.Andes y Ca.

do. E.Aguilera y Ca.

do. Font y Vidaurrazaga.

do. J.M.de Pinillos y Ca.

Enclosure No. 1.

With Despatch No. 1821.

H A V A N A , March 18, 1893.

Copy.

Sr.Consul General de los Estados Unidos de America,

Habana.

Los que suscriben,comerciantes importadores de víveres en esta ciudad,tienen el honor de molestar la atencion de V. S.exponiendo los siguientes hechos:

Que algunos de los que suscriben por cuenta propia y los otros unas veces por su cuenta y otras por cuenta de comerciantes americanos residentes en su pais,han venido importando desde 1º de Setiembre de 1891,en que empezó á regir el convenio de reciprocidad entre nuestra Nacion y los Estados Unidos de America,que se elevó á tratado definitivo en 1º de Julio del siguiente año,muchas é importantes partidas de frutas en conserva envasadas en latas,las cuales tanto en el primitivo convenio transitorio,como en el tratado definitivo están declaradas libres de derechos,asi nacionales como provinciales á su importacion aqui.

Al principio algunos empleados de Aduanas pusieron dificultades al aforar dichas mercancias entre las comprendidas en la tabla A,No.35 del tratado definitivo,aduciendo sutilezas que al fin fueron resueltas por el Excmo.Sr.Gobernador General,segun comunicacion que se pasó á V.S.en 10 de Novimmbre de 1892,en la que se declaró libre de derechos la referida mercancia por estar comprendida en el número 35 de la tabla A del tratado con los Estados Unidos; pero casi á raiz de aquella resolucion,al recibirse nuevas partidas del mencionado

articulo, se impuso á sus importadores multas por haberlo declarado libre, exigiendo ademas á los mismos el pago de derechos como si pertenecieran á la tabla C dando lugar á protestas y quedando las hojas protestadas pendientes de lo que resolviera el nuevo repertorio que para poner en claro lo pactado, acababa de ser redactado en Washington por los representantes de ambos paises.

Del texto inglés de dicho repertorio se recibieron algunos ejemplares á fines del año pasado y en su contenido leyeron los manifestantes con suma complacencia que quedaba claramente resuelto que las frutas en conserva, en dulce, secas ó verdes (excepto las pasas) pertenecian á la tabla A No. 35 y eran por consiguiente libres; pero su satisfaccion se troco en desagradable sorpresa al publicarse en la Gaceta de esta ciudad el texto castellano de aquel repertorio, en cuyo texto se encuentra la misma nomenclatura frutas en conserva, en dulce, frescas, secas ó verdes (excepto las pasas) como pertenecientes a la tabla C, No. 59. El texto inglés está de acuerdo con el tratado y el primer repertorio que se publicó en la gaceta de esta ciudad. El texto español esta en completa contradiccion con dicho tratado y repertorio, y como en ese Consulado á su digno cargo debe haber copias oficiales de ambos textos castellano é inglés, los que suscriben ruegan á V.S. se sirva cotejar dichas copias con la Gaceta de la Habana del dia 25 de Febrero próximo pasado y si del cotejo resulta, como es natural que asi sea, que en dicha Gaceta se ha padecido el extraño error de cambiar de tabla la mercancia mencionada, se sirva poner en juego los poderosos recursos que tiene a su al-

cance para que dicho error sea subsanado, consiguiendose con esto que se eviten perjuicios a muchos comerciantes americanos cuyos intereses en este asunto estan ligados con los nuestros, como tambien que se evite que se ponga en duda la buena fe de nuestro Gobierno al cumplir los pactos que celebra, por error cometidos por empleados subalternos, quizas poco practicos en asuntos de esta naturaleza .

Con esta fecha se ha comunicado a los firmantes que deben pagar derechos por todas las frutas importadas desde que se promulgo el tratado. Excusado es llamar la atencion de V.S. sobre la gravedad del caso y la urgencia de su resolucion.

Los que suscriben aprovechan la presente ocasion para ofrecerse a V.S. como sus mas ATto. y S.S.Q.B.S.M.

Habana 8 de Marzo de 1893.

Firmado: Berris Roca y Ca.

id. Miro y Mantecon.

id. Salceda Roda y Ca.

id. S.G.y Ruiz
pp.A.Pellon.

id. Berenguer Negra y Ca.

id. J.Andes y Ca.

id. E.Aguilera y Ca.

id. Font y Vidaurrazaga

id. J.M.de Pinillos y Ca.

Enclosure No. 2.

With Despatch No. 1821.

H A V A N A , March 28, 1893.

Translation.

The Governor of the Western Region and Province of Havana. Unofficial.

Havana, March 15, 1893.

Mr. R. Williams,

Consul of the United States.

My dear Sir:

Soon after separating from you at the palace of the General Government, I submitted to it the remonstrance of the importers of fruits from the United States.

As an affair of urgent character, the matter was at once decided.

The whole misunderstanding has arisen, as explained by the Minister of Spain in Washington, from an error of the press in the text of the english Repertory; the Repertory published in the Gazette of the 25th, 26th and 28th of February last, being exact with the original official manuscript, according to which all fruits imported in tin cans and preserved in syrup or in alcohol, must pay or be appraised according to table C, paragraph 59.

The said Minister made timely reclamations on the subject, but was answered at the Department of State of the United States, that the said error was of no consequence, and could be corrected in the spanish text -as was done - without any fear of the Government of the United States presenting any remonstrance whatever.

I hasten to communicate this news to you before the persons interested shall know it; with the assurance of my most attentive consideration.

I am, dear Sir, yours truly,

Signed: Antonio del Moral.

Enclosure No. 2.

With Despatch No. 1821.

H A V A N A , March 18, 1893.

Copy.

El Gobernador de la Region Occidental

Y Provincia de la Habana.

Particular.

Habana, 15 de Marzo de 1893.

Mr. R. Williams,

Consul de los Estados Unidos.

Muy Señor mio, de mi consideracion mas distinguida:

Al poco tiempo de separarme de V. en el Gobierno General, elevé consulta al mismo referente a la reclamacion de los importadores de frutas de los Estados Unidos. Como asunto de carácter urgente, la consulta fué resuelta hoy mismo.

Todo ello ha sido motivado, segun expresa el Sr. Ministro de España en Washington, por un error de imprenta en el texto del repertorio inglés; estando rigurosamente conforme con el ejemplar oficial manuscrito, el Repertorio publicado en las "Gacetas" de los dias 25, 26 y 28 de Febrero último, con arreglo al cual todas las frutas que se importen en cajas de hoja de lata y que estén en almibar ó en alcohol, deberan pagar o aforarse por la tabla C, No. 59. El citado Sr. Ministro hizo oportunamente sus reclamaciones sobre el particular, pero se le contestó en el Departamento de Estado Americano que dicho error no podía tener consecuencias y que debia corregirse en el texto español - como asi se efectuó - sin temor á que el Go-

Enclosure No. 3. 1821.
With Despatch No.
H A V A N A , March 18, 1893.

Translation.

U.S.Consulate General.

Havana,March 16,1893.

To His excellency Don Antonio del Moral,

Governor of this Region.

My dear Sir:

I have the pleasure to acknowledge receipt of your attentive letter of yesterday and to inform you thht its contents are so opposed to the instructions given by the Department of State to this Consulate General regarding this matter,that I have under this date transmitted it by telegraph to the Hon.Secretary of State at Washington for his information and to the end that he may give me the proper instructions concerning this case.

I am,dear Sir,very respectfully,

Your obedient servant,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 3. 1821.
With Despatch No.
H A V A N A , March 18, 1893.

Copy.

Consulado General de los
Estados Unidos.
Habana, Marzo 16 de 1893.

Excmo.Sr .D.Antonio del Moral,
Gobernador de esta Region.

Muy Sr.mio, de mi mas distinguida consideracion:

Tengo el gusto de acusar recibo de su atenta carta de ayer y de manifestarle que su contenido es tan contrario á las instrucciones que tiene dadas el Ministerio de Estado á este Consulado General respecto al asunto de referencia, que hoy mismo lo he trasladado al Sr.Secretario de Estado en washington á fin de que se entere de su contenido y se sirva darme las instrucciones que tenga por conveniente en el particular.

Aprovecho la oportunidad para reiterar á V.el testimonio de mi mayor consideracion y aprecio.

Signed: Ramon O.Williams,
Consul General.

Enclosure No. 4.
With Despatch No. 1821.
H A V A N A , March 18, 1893.

Copy. TELEGRAM.

Havana, March 16, 1893.

Hon. Secretary of State,

Washington, D.C.

On remonstrating according Department's telegraphic instruction twenty eight last June, and schedule A, paragraph thirty five, and english spanish repertories printed by Department, against threatened attachment property importers, for duties exacted on fruits, fresh, dried and preserved, except raisins, imported since first September ninety one and first July ninety two, under transitory and definitive arrangements, am informed by Regional Governer that Spanish Minister at Washington telegraphs that misunderstanding arises from mistake in english repertory printed in Washington, that on his timely representation at Department, he was informed it made no difference to the Government of the United States, and that mistake should be corrected in the spanish text, published here twenty fifth ultimo, which transposes and subjects said fruits to duties under schedule C paragraph fifty nine.

The statements of spanish minister are so directly opposed to Department's instructions six hundred seventy six, six hundred seventy nine, and seven hundred fifty, that the urgency of the case, and interests of importers oblige me to ask you for telegraphic instructions.

Williams, Consul General.

No 1822.

U. S. Consulate General,
Havana, March 20 1893.

DEPARTMENT OF STATE
MAR 29 1893
RECEIVED

Mr. Williams
to the
Department of State.

Receipt of circular dated
March 8 1893.

No. 1822.

U. S. Consulate General.
Havana, March 20 1893.

Hon: William F. Wharton,
Assistant Secretary of State,
Washington.
D. C.

Sir:

I have to acknowledge receipt of Department of State Circular dated March 8th 1893, transmitting copy of letter dated 7th March from the Treasury Department, relative to act of February 15 1893, entitled "An act granting addition-
"al quarantine powers and
"imposing additional duties
"on the Marine Hospital
"Service"; and also one copy of the quarantine laws and regulations prepared in accordance with this act.

I have therefore to ask that a number of copies of said laws and regulations be sent to this office, sufficient for distribution among the shipping firms of Habana, as the duly copy received has this day been posted, as instructed in said circular.

I am, Sir

Very respectfully

Your obt servant,

Jam. O. Williams,

Consul General

No. 1823

U.S. Consulate General,
Havana, March 28/1893.

DEPARTMENT OF STATE
MAR 29 1893
RECEIVED

Mr. Williams
to the
Department of State,

Hall of the Amr. Schs.
"C.W. Lewis."

1 Enclosure.

Inclosure
April 7. 1893
#
Copied
4/7/93

No. 1823.

U.S. Consulate General.
Havana, March 23, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my despatches nos. 1816 and 1817 of the 11th. March, I now beg to enclose copy of the communication received from the Captain of this Port on the 22d. instant with reference to the removal of the hull of the american schooner "C. W. Lewis", and this office having no instructions in the matter, the said communication is now submitted to the Department for such instruction as it may be pleased to issue in respect

to

to the removal of the hull
of this american schooner.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

1 Enclosure:
No. 1 - The Captain of the Port to
Mr. Williams, - March 22 -

Enclosure No. 1. 1823.
With despatch No.
HAVANA, March 28, 1893.

Translation.

Military Commandancy of Marine,

Office of the Captain of the Port.

This Dependency, under my charge, having taken all possible steps in order to ascertain who are the insurers of the hull of the american schooner "C.W.Lewis", and not having obtained a favorable result, I have to inform you of this fact, in case you desire as representative of the Nation to which said vessel belongs to proceed to remove her from the place where she now lies; but if on the contrary, I have also to state that the Board of Works of this Port will proceed to do so, collecting from the value of the hull the expenses of said work.

God guard you many years.

Havana, March 22, 1893.

√ Signed: Jacobo Aleman.

To the Consul General of the United States,

Present.

Enclosure No. 1.
With despatch No. 1823.
H A V A N A , March 23, 1893.

Copy.

Comandancia Militar de Marina y Capitania del Puerto de la Habana.

Hechas cuantas gestiones han sidoposibles por esta Dependencia á mi cargo en averiguacion de cuales sean las casas aseguradoras delcasco de la goletaamericana "C.W.Lewis" y no habiendo obtenido resultado favorable, lo pongo en conocimiento de V.S.,por si como representante de la Nacion á la que pertenece dicho buque desea V.S. proceder a su remocion del sitio en que se encuentra; debiendo manifestarle que en caso contrario la Junta de Obras del Puerto procederá á efectuarlo,cobrándose con el valor del casco los gastos originados por dicha faena.

Dios guarde á V.S.muchos años.
Habana,Marzo 22 de 1893.
Signed: Jacobo Aleman.

Sr.Consul Gral.de los Estados Unidos en esta ciudad .

Mr. Grunicle

No. 1824.

U.S. Consulate General.
Havana, March 24, 1893.

Desk
Ap. 20 '93

DEPARTMENT OF STATE
MAR 29 1893
RECEIVED

Mr. Williams
to the
Department of State.

Charge of $816, Spanish gold, for the alleged fumigation of the American and European mails brought to Havana by the Plant Steamers, after its delivery to the proper postal officers.

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1 Enclosure.

No. 1824.

U.S. Consulate General.
Havana, March 24, 1893.

Hon. William F. Wharton,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my despatch number 1789 of the 31st January last, I now have the honor to enclose for the information of the Department a translation and copy of the official note of the Secretary of the General Government of this Island, dated the 15th instant, in answer to mine addressed on the 21st of last January to the Governor General in relation to the amount of expenses claimed by Dr. Canuto

1

Canuto Valdés from the
Plant line of American
steamers, running between
Havana and Tampa via
Key West, (1) not suspicious
ports, for the fumigation,
last summer of the american
and european mails, (2)
not on board, but after
they had been delivered by the
Plant steamers and received
by the Havana post-office
officials; and for the col-
lection of which expenses
amounting to $816, gold,
Doctor Valdés, (3) instead of
demanding the agents of the
steamers, after their refusal
to pay, before the proper court,
applied for and obtained an
order from the General
Government against them,
which order (4) being,
impliedly, of the nature of
a prejudgement, was, therefore,
contrary

contrary to article 7 of the treaty of 1795. Indeed, I have been informed (5) by Mr. Sola, the advocate on the part of the Plant steamers, that the advocate of Doctor Valdes has plead the fact of the issue of this order of the General Government in favor of his client.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams,
~~Consul~~ General.

1 Enclosure:
No. 1 - The Secretary of the General Government to Mr. Williams,
March 15, 1893.

Enclosure No. 1.
With despatch No. 1824.
H A V A N A , March 24, 1893.

Copy translated by Consul General Williams.

General Government of the Island of Cuba.

Office of the secretary General.

Havana, March 15, 1893.

To the Consul General of the United States,

Present.

Sir:

In reply to your attentive official letter of the 21st of January last, presenting a remonstrance in the name of Mr. Plant against the decision of this Government, declaring the expenses of the fumigation of the american and European correspondence brought here by the steamers plying between the ports of Tampa, Key West and Havana, to be for the account of Messrs. Lawton Bros, as consignees, I now have the honor to inform you by direction of the Governor General, that on applying the provisions of the Sanitary Regulations in force regarding the public health, (1) he subjected all vessels arriving from suspicious ports to the prescribed regimen for such cases including the fumigation of the correspondence; and that Dr. Canuto Valdes having been encharged with this service, (2) on board the Plant steamers,- and he having made application to this Government General to know who was to pay his services, it was decided in accordance with article 23, chapter 3, title 2, of the Regulations, declaring all quarantine expenses to be paid by the consignees if the vessels are merchantmen.

The (3) Board of Health of this port, having reported to the Government Doctor Valdes' complaint against Messrs. Lawton Bros, consignees of the steamers "Mascotte" and "Olivette", because of their refusal to pay his account, in the misunderstanding that the said decision only referred to the fumigation of vessels and not to sanitary operations (4) effected outside of them, showing those consignees in explanation of the aforesaid decision of the obligation they were under to pay the said fumigation expenses, and of which they were reminded because of the complaint they addressed the Government in the name of Mr. Plant.

In this connection you make mention of a suit that had already been commenced by Dr. Valdes before the Court of First Instance of the District of Belen of this city for the payment of the sum of $816, amount of these fumigation expenses; and on this fact you base the complaint that a question pending between Mr. Plant, a citizen of the United States, and Dr. Valdes had been prejudged, contrary to the provisions of articles 7 and 20 of the treaty.

But the Governor General does not believe in the existence of such prejudgement, since he was not aware of the commencement of this suit; but now that it is known, the action of the Government terminates, in conformity with the said Treaty, whose articles 7 and 20, only reproduce the universal principle, that concedes to foreigners in other countries identical individual rights with those enjoyed by natives.

The Governor General directs me to inform you that this Government does not ignore the agreement established under the Treaty of 1795; and, therefore, that it has not been its purpose to infringe its stipulations, for although it was decided that Messrs. Lawton Brothers should pay what they owed to Dr. Valdes, still this was done in answer to several inquiries, and as the straightforward interpretation of article 23 of the Sanitary Regulations. But the idea has never entered the mind of the Government to influence the sentence of the Court, which under the stipulations of article 7 is the only one authorized to seize, detain or arrest citizens of the one party charged with contracting debts in the jurisdiction of the other, neither has it pretended to deprive american citizens of the right granted under article 20 to establish and defend their claims in spanish territory as freely as though they were spanish subjects, giving you the assurance, therefore, that this Government will dictate no resolution in the future, tending to favor the right of Dr. Valdes, to claim from Messrs. Lawton Bros the amount of the expenses of the fumigation, as consignees, of the steamers of Mr. Plant, leaving to the court, having cognizance of the suit, in its complete freedom of action.

At the same time I must mention, should it be true, but which you do not undertake to assure, that if the spanish Transatlantic steamers are not subjected to the (5) expenses of the fumigation of the correspondence they carry from Havana to New York, when that operation is ordered by the Sanitary authorities of the latter port, then the principle of reciprocity existing between two friendly nations, will be respected and taken into account,

if to that end the necessary proofs are adduced before the Court having cognizance of the suit against Mr. Plant.

And finally the Governor General has been pleased to direct, in attentive reply to the petitions you formulate:

First: that the error which in your opinion has been committed by the Section of Public Health of this Government, as contrary to article 7 and 20 of the Treaty of 1795, does not exist from the moment that the said Bureau ignored the fact that a suit had been started before the Court against Mr. Plant, there having been therefore no infraction of the said treaty, but merely an application of a Governmental Regulation.

Second: that this Government not being authorized to annul a claim subject of a suit before a court of justice, it can only abstain from all interference in the matter, leaving the action of justice free and untrammeled in the belief that it has rendered no prejudgment, having only undertaken, on the petition of the party interested, to inform Messrs. Lawton Bros. of the provisions of the Health Regulations they are required to fulfill.

And third: that in corroboration of those statements a copy is herewith remitted to you of the Sanitary Regulations now in force in this Island.

The foregoing being communicated to you by order of H.E. for your information and corresponding effects.

God guard you many years.

Havana, 15 March, 1893.

Signed: Estanislao de Antonio.

Enclosure No. 1.
With Despatch No. 1824.
H A V A N A , March 24, 1893.

Copy.

Gobierno General de la Isla de Cuba.

Secretaria General.

En contestacion a su atenta carta oficial de 21 de Enero último, acerca de la reclamacion que hace V.S. á nombre de Mr.Plant, contra la resolucion de este Gobierno que declaró ser de cuenta de los Sres.Lawton Hermanos, como consignatarios, los gastos de fumigacion de la correspondencia, que procedente de los Estados Unidos y de Europa conducen los vapores que hacen viajes entre los puertos de Tampa, Cayo Hueso y la Habana, tengo el honor de significarle de órden del Excmo.Sr.Gobernador General, que aplicando en uso de sus facultades un Reglamento vigente en materia de Sanidad, sometió á todos los buques procedentes procedentes de puertos sospechosos, á un régimen prescrito para el caso que comprendia la fumigacion de la correspondencia. Encargado el Doctor Don Canuto Valdes de esta operacion á bordo de los vapores de la linea Plant, acudió á este Gobierno, en suplica de que se designase quienes eran los que habian de abonarle su cuenta de gastos, y se acordó el cumplimiento de lo dispuesto en el articulo 23, capitulo 3, titulo 2 del indicado Reglamento, el que determina, que todos los gastos de las cuarentenas han de correr á cargo de los consignatarios si los buques fuesen mercantes. La Diputacion Sanitaria de este puerto, dió cuenta de la queja presentada por el Dr.valdes, contra los Sres Lawton Hermanos consignatarios de los vapores "Mascotte y "Olivette" , por no querer dichos Sres. abonarle su cuenta de gastos, enten-

diendo que el expresado acuerdo, se referia solo a fumigaciones de naves, y no a operaciones sanitarias, que se verificasen fuera de ellas, haciéndoseles ver como aclaracion de lo acordado anteriormente, el deber en que estaban de abonar los indicados gastos de fumigaciones, lo cual hubo de recordárseles con motivo de un oficio en que los Sres. Lawton, se quejaban á nombre de Mr. Plant. Hace referencia V.S. á una demanda entablada por el Sr. Valdes ante el Juzgado de Primera Instancia del Distrito de Belen de esta ciudad sobre el pago de $816 como gastos de fumigaciones, y en este hecho se funda V.S. para sostener que se ha prejuzgado una cuestion pendiente entre Mr. Plant, súbdito americano, y el Sr. valdes contra lo establecido en los articulos 7 y 20 del Tratado entre España y los Estados Unidos.

Pero S.E. no cree que haya existido tal prejuicio, porque ignoraba la presentacion de la demanda, y ahora que se conoce, termina la accion de este Gobierno, conforme con lo acordado en el Tratado mencionado, cuyos articulos 7 y 20 no hacen sino reproducir el principio universal de que han de concederse a los extrangeros en otros paises, identicos derechos individuales a los que disfrutan los naturales del mismo.

S.E. ha dispuesto se haga presente a V.S. que este Gobierno no ignora lo convenido en el Tratado de 1795, y por tanto, no ha sido su proposito quebrantar lo que alli se estipulo, pues si bien se habia acordado que pagasen los Sres. Lawton lo que adeudaban al Sr. Valdes, fue en contestacion a consultas que se le hicieron, y como recta interpretacion de lo dispuesto en el articulo

23 del Reglamento de Sanidad. Pero no ha entrado en el ánimo de este Gobierno la idea de influir en el fallo de un Tribunal, á quien no puede negar la facultad que le concede el articulo 7 del Tratado, de ser el único, que puede proceder a aprehender, detener ó arrestar, por deudas contraidas por un ciudadano en la jurisdiccion de otro, ni tampoco ha pretendido privar á los ciudadanos americanos, del derecho que les otorga el articulo 20 para entablar libremente demandas, y sostener sus pleitos en territorio español, como si fuesen súbditos de nuestro pais; pudiendo asegurar á V.S., que este Gobierno se propone en lo sucesivo, no dictar resolucion alguna, que tienda á demostrar que se concede al Doctor Valdes un derecho a reclamar de los Sres. Lawton el importe de gastos de fumigacion como consignatarios de los vapores de Mr. Plant, dejando al Tribunal que ha de fallar, la reclamacion pendiente, en completa libertad de accion.

Al mismo tiempo debo de indicarle, que de ser cierto el hecho que V.S. no se atreve á asegurar, de que a los vapores de la compañia Trasatlantica, se les exige el pago de los gastos de fumigacion de la correspondencia que conducen de la Habana á Nueva York, cuando aquella operacion ha sido dispuesta por las autoridades sanitarias de este ultimo puerto, ha de respetarse el principio de reciprocidad entre dos naciones amigas, y sin duda ha de tenerlo en cuenta, si para ello se aducen las pruebas necesarias el Tribunal que ha de fallar la reclamacion pendiente contra Mr. Plant.

Y finalmente S.E. se ha servido disponer que como atenta respuesta a las tres peticiones formuladas por V.S. se le manifieste:

Primero: que el error que segun V.S. se ha cometido por la Seccion de Sanidad de este Gobierno, como contrario a los articulos 7 y 20 del Tratado de 1795, no existe desde el momento en que por el negociado respectivo se ignoraba la presentacion de la demanda contra Mr. Plant y por tanto no hay infraccion del convenio mencionado, sino mera aplicacion de un Reglamento gubernativo.

Segundo: que careciendo de medios este Gobierno para anular una reclamacion pendiente ante un Tribunal ordinario, solo puede comprometerse a suspender toda intervencion en el asunto, dejando franca y expedita la accion de la justicia no creyendo haber hecho prejuicio alguno, sino haber acordado a consecuencia de gestiones de las partes interesadas, poniendo en conocimiento de los Sres. Lwton Hermanos lo dispuesto en un Reglamento de Sanidad, que estaban llamados a hacer cumplir y

Tercero: que como constancia de lo que se deja dicho, se le remite un ejemplar del Reglamento de sanidad vigente en esta Isla.

Todo lo que de orden de S.E. tengo el gusto de comunicar a V.S. para su conocimiento y efectos correspondientes, con inclusion de un ejemplar del mencionado Reglamento.

Dios guarde a V.S. muchos años.

Habana, 15 de Marzo de 1893.

Signed: Estanislao de Antonio.

Sr. Consul Gral. de los Estados Unidos de America en la Habana.

3RD ASSISTANT SECRETARY.
APR 5 1893

Mr. Grinnell

DIPLOMATIC BUREAU.
APR 5 1893

To Madrid Apr 6 '93

No. 1825.

DEPARTMENT OF STATE
APR 3 1893
RECEIVED

U.S. Consulate General.
Havana, March 27, 1893.

Acknowledged April 10 1893. M.

Mr. Williams
to the
Department of State,

Protest of Mr. Eugene P. Dowling against appraisement of import duties on ten cases butter received from New York.

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2 enclosures.

No. 1825.

U.S. Consulate General.
Havana, March 27, 1895.

Hon. Alvey A. Adee,
2nd Assistant Secretary of State,
Washington,
D.C.

Sir:

In compliance with your telegraphic instruction of the 28th June last, I have received and presented to the Regional Governor the protest of Mr. Eugene P. Dowling of the firm of Messrs. Alberti & Dowling of this City, against the appraisement of import duties made by the custom house of this port on ten cases butter received from New York by Spanish steamer "Mexico" on the 15th instant; said appraisement being considered contrary to

paragraph

paragraph 30, Schedule A,
of the reciprocity agreement
between the United States and
Spain. I enclose copy
of protest and of communi-
1/ 2/ cation to Regional Governor.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams,
Consul General.

2 Enclosures:
No. 1 - Protest
& 2 - Mr. Williams to Regional Governor,
March 29

Enclosure No. 1.
With Despatch No. 1825.
H A V A N A, March 27, 1893.

Copy translation.

No.40

Eugene P.Dowling, active partner of the firm of Alberti & Dowling in the name and representation of said firm appeareth before the Consul General of the United States of America in this port and in the best manner sayeth:

That he protests against the appraisement made by the Collector of Customs of this port of the ten cases Butter received from Mr.John H.Scheel of New York, per spanish steamer "Mexico" which arrived in this port on 15th March, 1893, owing to this Collector of Customs considering said goods liable to the payment of duties, while they are free according to table A, item 30 of the Treaty of reciprocity ruling between Spain and the United States of America.

That he likewise protests against the double duties or any other charges which this Collector of Customs may impose on the said ten cases of butter forhaving declared them free of duties .

And for further evidence and that this protest may have all the necessary effects according to the requisites specified in the telegram dated in Washington on the 28th June ultimo addressed by Mr.Wharton, Assistant Secretary of State of said Nation to Mr.Williams, Consul General of the same, he presents this protest in this city.

H A V A N A ---

21 March, 1893.

Signed: Eugene P.Dowling.

Sworn to and subscribed before me,

Signed: Ramon O.Williams,

Consul General.

Enclosure 1 - Despatch 1825.

Copia.

No.40.

Don Eugenio P.Dowling, gerente de la sociedad Alberti x Dowl ng de esta plaza a nombre y representacion de dicha sociedad, comparece ante el Sr.Consul de los Estados Unidos de America en este puerto y en la mayor forma que proceda:

PROTESTA contra el cforo que se leha hecho por la aduana de este puerto de las diez cajas manteca de vaca (mantequilla) recibidas del Sr.Juan H.Scheel de New York, por va or español Mexico, entrado en este puerto el 15 de Marzo de 1893, toda vez que la aduana los considera sujetos al pagode derechos de que son libres por la tabla A partida 30del convenio de reciprocidad vigente entre España y los Estados Unidos de America.

Protesta tambien el infrascrito contra los derechos dobles y cualquier otro gravamen que le imponga la aduana de este puerto a causa de haber declarado como libres de derechos las citadas diez cajas de mantequilla.

Y para que conste y esta protesta surta los efectos necesarias segun lo dispuesto en el telegrama fechado en Washington en 28 de Junio ppdo.de Mr.Wharton, sub-secretario de Estado de la misma nacion a Mr .Williams, Consul General de la misma.La presento en esta ciudad.

Habana, 21 de Marzo de 1893.

Signed: Eugenio P.Dowling.

Firmado ante mi,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 2.

With Despatch No. 1828.

H A V A N A , March 27 1893.

Translation. U.S.Consulate General.

Havana, March 27, 1893.

To H.E. the Governor of the Western Region and

Province of Havana.

Excellency. In compliance with the telegraphic instruction of the Honorable Secretary of State of the 28th June last, I have the honor to present to the consideration and resolution of Y.E. the enclosed certified copy of the protest of Mr. Eugene P. Dowling of the firm of Alberti x Dowling of this city, against the appraisement made by the custom house of this port on ten cases butter received from New York by spanish steamer "Mexico", arrived here on the 15th instant; said appraisement being contrary to schedule A, paragraph 30 of the ruling reciprocity agreement between Spain and the United States.

I am, Sir, very respectfully etc. etc.

Signed: Ramon O. Williams,

Consul General.

Enclosure No. 2.

With Despatch No. 1825

H A V A N A , March 27, 1893.

Copy.

Consulado General de los
Estados Unidos.

Habana, Marzo 27 de 1893.

Excmo.Sr.Gobernador de la Region Occidental
y de la Provincia de la Habana.

Excmo.Sr:

Cumpliendo con la instruccion telegrafica del Honorable secretario de Estado de los Estados Unidos de fecha 28 de Junio ppdo., tengo el honor de presentar á la consideracion y resolucion de V.E.la adjunta copia certificada de la protesta de D.Eugenio P.Dowling, gerente de la sociedad de Alberti y Dowling de esta plaza, contra el aforo hecho por la aduana de este puerto sobre diez cajas mantequilla recibidas de New York por vapor español "Mexico", entrado en este puerto en 15 del corriente; y por ser dicho aforo contrario a la tabla A partida 30 delconvenio de reciprocidad entre España y los Estados Unides.

Soy de V.E.ato.S.S.Q.B.S.M.

Signed: Ramon O.Williams,

Consul General.

DEPARTMENT OF STATE
APR 3 1893
RECEIVED

file

No. 1826.

U. S. Consulate General.
Hawaii, March 28, 1893.

Mr. Williams,
to the
Department of State.

Receipt of instructions from Department numbers 764 and 765.

No. 1826.

U. S. Consulate General.
Havana, March 28, 1893.

Honorable Alvey A. Adee,
2nd Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's instructions numbers 764 and 765, which have my careful attention.

I am, sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

DEPARTMENT OF STATE
APR 3 1893
RECEIVED

No 1827.

U. S. Consulate General.
Havana, March 28, 1893.

Mr. Williams,
to the
Department of State.

Acknowledging receipt of Department's instruction 766 inclosing a letter addressed to the Governor General of Cuba, by the Secretary General of the Pan-American Medical Congress.

No. 1827.

U. S. Consulate General.
Havana, March 28, 1893.

Honorable Alvey A. Adee,
2nd Assistant Secretary of State,
Washington
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's instruction number 766 dated the 16th instant enclosing a letter addressed to the Governor General of Cuba by the Secretary General of the Pan American Medical Congress to be held in that city in September next, inviting him to appoint delegates to said Congress.

I beg to inform you that the letter was delivered yesterday with a communication

from this office to the
Governor General of Cuba.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams
Consul General.

file

No. 1828.

U. S. Consulate General
Havana, March 28, 1893.

DEPARTMENT OF STATE
APR 3 1893
RECEIVED

Mr. Williams,
to the
Department of State.

Acknowledging receipt of Department's instruction number 767, enclosing a letter addressed by Mrs. Potter Palmer to Madame Elena Piat de Sanchez.

No. 1828.

U. S. Consulate General.
Havana, March 28, 1893.

Honorable Alvey A. Adee,
2nd Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's instruction number 764 dated the 21st instant enclosing a letter addressed by Mrs. Potter Palmer, President of the Board of Lady Managers of the World's Columbian Exposition to Madame Elena Prat de Sanchez, which was sent to the Governor General of Cuba for direction.

I am, Sir, Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

DEPARTMENT OF STATE
APR 3 1893
RECEIVED

Acknd. April 10 1893. H.

No. 1829.

U.S. Consulate General,
Havana, March 29, 1893.

Mr. Williams
to the
Department of State.

Fine of $1900 imposed
on Am. Schr Nelson Bartlett.

1 Enclosure.

3RD ASSISTANT SECRETARY,
APR 7 1893

action &
approve action
of C.G.

No. 1829.

U.S. Consulate General.
Havana, March 29, 1893.

Hon. Alvey A. Adee,
2d Assistant Secretary of State,
Washington,
D.C.

Sir:

With particular reference to my despatch no 1300 of the 31st of March, 1891, in relation to fines imposed on american vessels by the custom houses of this Island for errors of manifest whose correction is allowed under section 2887 of the Revised Statutes to the masters of all vessels arriving in the United States from foreign countries, I now have the honor to submit to the Department a copy and translation of the communication I addressed yesterday

yesterday to the Regional Governor in regard to a fine of $1900, gold imposed on the american schooner "Nelson Bartlett", arrived here from New York on the 14th. instant, because of a mistake committed at the office of the vessel's agent in New York in manifesting the weight of a lot of granite paving and curbing stones brought here by her for the City Government of Havana.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams,
Consul General.

1 Enclosure:
No. 1 - Mr. Williams to Regional Governor, March 28 -

Enclosure No. 1.
With Despatch No. 1829
H A V A N A ,March 29, 1893.

Translation.

U.S.Consulate General.

Havana,March 28,1893.

To His Excellency the Governor of the Western Region and of the Province of Havana.

Excellency:

At the request of Mr.Joseph W.Watts,master of the american schooner "Nelson Bartlett",I have the honor to submit to the favorable consideration of Y.E.his respectful petition for the condonation of a fine of $1900, which he is informed is about to be imposed on his vessel because of an error of weight in its manifest in that part corresponding to the blocks and flags of granite brought from New York for the paving of the streets and side walks of this city and for the account of its municipal Government,- the circumstances of this case being as follows:

(1) This vessel was cleared at the custom house of New York for the port of Havana on the 27th of last February,by Messrs.Snow & Burgess,with a cargo of paving and curbing stones which according to the bill of lading weighed 212.850 kilos:

(2) That on the making out her manifest at the office of the said firm of Snow & Burgess,the clerk encharged with this service committed the error of inserting the weight therein as 22.850 kilos instead of the said 212.850 kilos,from which resulted the error of 190.000 kilos shortage in weight:

(3) That the manifest in this erroneous state was presented at the Consulate General of Spain in New York on the same day for its certification as required by the customs regulations ofCuba.

(4)That the master made sail without having any knowledge of the mistake in the manifest till informed of it on his arrival here by Messrs.Truffin & Co,the custom house agents of his vessel at this port of Havana.

Now,with this submission of facts,I beg to observe to Y.E.,in advocacy of this petition of the master for the condonation of this fine of $1900,which is said to have befallen its vessel under the provisions of the Customs Regulations of Cuba,because of the error committed,as said,by a clek in the office of his consignees in New York,and not from any act,either voluntary or involuntary of his own,that:

First; there is no import duty on the paving and curbing stones in question; from whence it is self evident that the error has not originated from any intention or attempt to defraud the customs revenues of this Island.

Second; that no injury has resulted therefrom to the interests or rights of the Government of this Island.

Third; had this or any analogous error of manifest befallen a spanish vessel in any port of the United States,under similar circumstances,no fine whatever would have been imposed under the Customs Regulations of the United States on said spanish vessel; for the reason that the error would have been emendable by post entry under section 2887 of the Revised Statutes of the

United States.

In view, therefore, of the total absence of the least circumstance or proof tending to cast suspicion on the master or owners of this american vessel of intention to defraud the customs revenues of this Island, I cannot less than invoke the high sense of justice of Y.E. to ask that the petitionof the master be granted, not only because of the inocence of himself and the owners; but also as an act of reciprocal treatment in response to the means allowed, as above cited, to spanish masters for the correction of similar mistakes in their manifests in the ports of the United States, having the pleasure to cite in support hereof the like case of the american schooner "DouglsDearborn", from Philadelphia, presented to the Government General in my note of the 27th of July, 1890, which the Intendant General of Finance was pleased to condone, in consideration of the mitigating circumstances, to the extent of imposing the minimun fine of ten dollars on said vessel.

I have the honor to, with great respect, Y.E.'s obedient servant,

Signed: Ramon O. Williams,

Consul General.

Enclosure No. 1.
With Despatch No. 1829.
H A V A N A , March 29, 1893.

Copy.

Consulado General de los
Estados Unidos.

Habana, Marzo 28 de 1893.

Excmo.Sr.Gobernador de la Region Occidental
y de la Provincia de la Habana.

Excmo.Sr:

A instancias de Mr.Joseph W.Watts, capitan de la goleta americana "Nelson Bartlett", tengo el honor de presentar á la favorable consideracion de V.E. su respetuosa solicitud para la condonacion de una multa de $1900, que tiene noticias le será impuesta á su buque por un error de peso cometido en su manifiesto en lo que se refiere á los adoquines y losas de granito importados de Nueva York para el empedrado de las calles y aceras de esta ciudad y por cuenta del Ayuntamiento de la misma, siendo las circunstancias del caso las siguientes:

(1) Este buque fué despachado en la aduana de Nueva York para el puerto de la Habana el 27 de Febrero ppdo. por los Sres.Snow y Burgess, con un cargamento de adoquines y losas, que segun conocimiento pesaba 212.850 kilos:

(2) Que al radactar el manifiesto en el escritorio de los referidos Sres.Snow y Burgess, el dependiente encargado de este servicio cometió el error de insertar el peso de 22.850 kilos en vez del citado peso de 212.850 kilos, dando por resultado el error de 190.000 kilos de menos en el peso:

(3) Que el manifiesto equivocado fué presentado el mismo dia en el Consulado General de España en Nueva York para su legalizacion, segun previenen las Ordenanzas de esta Isla:

(4) Que el capitan se hizo a la mar ignorando que hubiera equivocacion en su manifiesto hasta que á su llegada a este puerto se lo participaron los Sres. Truffin y Ca, agentes de aduana de su buque en este puerto de la Habana:

Ahora bien, Excmo. Sr., al presentar á la consideracion de V.E. estos hechos, y al interceder por el capitan en su peticion para la condonacion de esta multa de $1900, que se dice haberle acaecido de conformidad con las disposiciones de las Ordenanzas de Aduanas de esta Isla, por el error cometido, ya citado, por un dependiente en la oficina de sus consignatarios en Nueva York y no por un acto propio voluntario ó involuntario, tengo que observar:

Primero: que no existen derechos de importacion sobre los adoquines y losas en cuestion; por lo que es evidente que en el error no ha habido intencion ó tentativa de defraudar la Hacienda de esta Isla.

Segundo: que no ha resultado ningun perjuicio á los intereses ó derechos del Gobierno de esta Isla.

Tercero: que si este ó cualquier error análogo hubiese ocurrido á un buque español en cualquier puerto de los Estados Unidos, bajo iguales circunstancias, no se le hubiera impuesto ninguna multa por las Ordenanzas de Aduanas de los Estados Unidos á dicho buque español; por cuanto el error seria susceptible de enmienda mediante

una simple aclaracion de acuerdo con la seccion 2887 de los Estatutos Revisados de los Estados Unidos.

Por lo tanto, en vista de no existir la menor circunstancia ó prueba que tienda á despertar sospecha de que el capitan ó los dueños de este buque americano hayan tenido intencion de defraudar la Hacienda de esta Isla, no puedo menos de apelar á los elevados sentimientos de justicia que caracterizan á V.E. á fin de que se conceda la solicitud del capitan, no tan solo porque es inocente asi como los dueños del buque; sino tambien como un acto de reciprocidad que corresponda á los medios que les permite, como indico anteriormente, en los puertos de los Estados Unidos á los capitanes de buques españoles para subsanar equivocaciones en sus manifiestos, teniendo el gusto de citar en apoyo de la presente el caso análogo de la goleta americana "Douglas Dearborn", procedente de Philadelphia, cuyo caso tuve el honor de presentaral Gobierno General en mi carta oficial del 27 de Julio de 1890, el cual se sirvió condonar el Excmo.Sr.Intendente General de Hacienda en consideracion de circunstancias atenuantes, hasta el extremo de solo imponer á dicho buque la multa minima de diez pesos.

Tengo el honor de ser de V.E. con el mayor respeto, ato.S.S.Q.B.S.M.

Signed: Ramon O.Williams,

Consul General.

DEPARTMENT OF STATE
APR 7 1893
RECEIVED

file

No. 1830.

U. S. Consulate General.
Havana, April 3, 1893.

M. Williams,
to the Department of State.

Appointment of the Honorable
W. Q. Gresham Secretary of
State of the United States.

No. 1830

U. S. Consulate General
Havana, April 3, 1893.

Honorable W. Q. Gresham,
Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's circular dated the 31st ultimo, informing this office of your appointment as Secretary of State of the United States.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

DEPARTMENT OF STATE
APR 7 1893
RECEIVED

file

No. 1831.

U. S. Consulate General.
Havana, April 3, 1893.

Mr. Williams,
to the
Department of State.

Appointment of the Honorable Josiah Quincy, Assistant Secretary of State of the United States.

No 1831.

U. S. Consulate General.
Havana, April 3. 1893.

Honorable W. Q. Gresham,
Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's circular dated the 21st ultimo, informing this office that the Honorable Josiah Quincy, of Massachusetts, has been appointed Assistant Secretary of State, of the United States.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

file

Correction made.

No. 1832.

DEPARTMENT OF STATE
APR 11 1893
RECEIVED

U. S. Consulate General.
Habana, April 5, 1893.

Mr Williams,
to the
Department of State.

Acknowledging receipt of Department's instruction number 68, and asking correction of the word properly in telegram therein copied. So as to read property.

No. 1832.

U. S. Consulate General.
Havana, April 5, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

I have the honor to acknowledge receipt of the Department's instruction number 768 of the 28th ultimo and to respectfully ask that the second word on the fifth line of my telegram therein copied be corrected, so as to read property instead of propelly.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

To Madrid
Apr 27
J

DIPLOMATIC BUREAU
APR 26 1893

No. 1833.

U.S. Consulate General
Havana, April 6, 1893.

Acknd.
Apr 8

DEPARTMENT OF STATE
APR 11 1893
RECEIVED

Mr. Williams,
to the
Department of State.

Transmitting copy of a letter from Mr. J. Seidel accompanying a report of the Chamber of Commerce of Matanzas relating to Collins machetes or cane-knives

One enclosure.

No. 1833.

U. S. Consulate General.
Havana, April 6, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington
D. C.

Sir:—

I beg to accompany, herewith, the copy of a letter dated the 3rd instant received by this office from Mr. I. Seidel, the agent of the American manufactures of the Collins machetes or Cane-Knives, accompanying a report of the Chamber of Commerce of Havana, affirming that machetes being Agricultural implements, ought therefore, to be admitted into the Island of Cuba free of import duty under article

25 schedule A of the Reciprocity Agreement, as well as article 48 of the Cuban Tariff; yet, nevertheless, import duties are charged upon them.

I am, Sir,

Very respectfully,

Your obedient Servant,

Ramon O. Williams,

Consul General.

Enclosure

1. Mr. Seidel to Mr Williams accompanying report of the Chamber of Commerce of Havana.

April 3rd, 1893.

Enclosure No. 1

With Dispatch No. 1833.

H A V A N A , April, 6, 1893.

Copy.

Havana, April 3rd, 1893.

Mr. Ramon O. Williams.

Consul General of the United States of America.

Havana.

Sir:

I beg to enclose printed circular, with copy of the certificate I have obtained from the Chamber of Commerce of Havana, by which it is affirmed that Collins machetes of nos: 278, 22, 37, 23, 323, 1 and 152, are AGRICULTURAL IMPLEMENTS, "utiles para agricultura", and must be admitted under par: 48 of the Custom House Tariff, and are consequently embraced in par: 25, Schedule A of the Reciprocity Treaty, referring to "Implements, utensils and tools for "agriculture, the arts and mechanical trades".-

Notwithstanding such decision of our Chamber of Commerce, I have no hope at all that the mentioned machetes will be admitted by our Custom House officials as agricultural implements, as a systematic opposition has been made from the 1st July last year to acknowledge such quality, and a tendency has prevailed to charge duties on the named machetes, as side arms, of which several protests were made before you at the American Consulate. - But it being proved through enclosed certificate that they are agricultural implements, I think there is no

reason to leave this matter go on in the same way as until present.

Anticipating my best thanks for your taking in consideration the contents of this letter,

I remain, Sir,

Yours very respectfully,

(Signed) J.SEIDEL.

J. SEIDEL

APARTADO No. 662.
CABLE "SEIDEL"

Habana 24 de Marzo de 1893.

Sr._____

_____

Muy Sr____ mío____:

Habiendo acudido á la Cámara de Comercio, Industria y Navegación de la Habana, como representante de los Sres. Collins y C.ª para que se sirviera informar respecto al aforo de los machetes de Collins cuyas muestras acompañaban á mi instancia conocidos por de leñador, de ramajear y tumbar monte, he obtenido el resultado que expresa el adjunto certificado, en el cual la Cámara con el elevado criterio que inspira todos sus actos, ha sabido esclarecer en concreto informe los puntos que han sido objeto de dificultades en nuestra Aduana desvaneciendo las dudas que pueden ocurrir en el particular.

Con efecto: del informe aprobado por unanimidad por la Directiva de la Cámara, se desprenden dos conclusiones de la mayor importancia:

1.ª Los machetes números 278-22-37-23-323-1 y 152, son UTILES PARA AGRICULTURA y por lo tanto están de lleno comprendidos en la Tabla A, partida 25, que declara libres de derechos á los "Utiles, utensilios y herramientas para la Agricultura, las artes y las profesiones mecánicas." debiendo aforarse por la partida 48.

2.ª Los machetes números 87-203-9-326-216-169 y 376 son los únicos que en concepto de la Cámara deben aforarse por la partida 65.

Como quiera que el adjunto informe no puede emanar de más autorizado y competente origen, me inclino á creer que pueda influir de una manera decisiva en la solución de las dudas y dificultades que hasta el presente han ocurrido sobre el particular y me apresuro á comunicárselo, creyendo se enterará con gusto de tan satisfactoria aclaración.

Aprovecho esta ocasión para ofrecerme de Vds. con la más atenta consideración,

s. s. s. q. b. s. m.

J. Seidel

CERTIFICADO

Don Saturnino Martínez y Martínez

Secretario de la Cámara Oficial de Comercio, Industria y Navegación de la Habana.

CERTIFICO: que en el expediente promovido por el señor J. Seidel, del Comercio de esta plaza, respecto al aforo de machetes de la partida 48 del vigente Arancel de Aduanas de esta Isla, consta el informe emitido por dos Sres. miembros de esta Directiva, que se copia á continuación, cuyo informe ha sido aprobado por unánime acuerdo en Junta extraordinaria celebrada la noche anterior, con vista de los ejemplares de machetes á que dicho informe se refiere:—Informe—Excmo. Sr. Presidente: El Sr. J. Seidel como representante de los Sres. Collins y C.ª solicita que la Cámara le informe con vista de las muestras de machetes que acompañan, con los números de fábrica 278, 22, 37, 23, 323, 1 y 152, si estos son ó no útiles para agricultura. En efecto, los ejemplares de machetes referidos se aplican generalmente: los números 278, 22 y 37 para uso de leñador ó sea para corte de las ramas delgadas de los árboles: y los números 23, 323, 1 y 152, por su resistencia, para el corte de las ramas gruesas. Además dichos machetes se aplican también por los campesinos para distintas faenas, tales como el corte de brusca, manigua, bejucos, poda de cercas y otros usos análogos. Como que según el Repertorio para la aplicación del vigente Arancel á la partida 65 sólo corresponde llevar los machetes de cinta, de media cinta ó de cruz, y ninguno de los números cuyas muestras se acompañan son de esas clases, es indudable que estos deben aforarse por la Partida 48 del referido Arancel. El adjunto catálogo tiene señalados los que pertenecen á esta partida 48 y los que únicamente corresponden á la partida 65, que son los que de fábrica traen los números 87, 203, 9, 326, 216, 169 y 376. Este es el parecer de los que suscriben y tienen el honor de informarlo á la Cámara en cumplimiento de lo dispuesto. Habana Febrero 20 de 1893. Firmado: Ildefonso S. Guzmán.—Antonio Alvarez.—Y á solicitud del expresado Sr. Seidel expido la presente con el visto bueno del Excmo. Sr. Presidente de esta Corporación oficial, en la Habana á 22 de Marzo de 1893. Firmado: Saturnino Martínez. Vto. Bno. el Presidente. Ramón de Herrera.

Hay un sello que dice: Cámara de Comercio, Industria y Navegación de la Habana.

Habana 23 de Marzo de 1893.

Es copia.

J. SEIDEL

HABANA.

3RD ASSISTANT SECRETARY.
ackn + file
APR 14 1893

Sale

No. 1834.

U. S. Consulate General.
Havana, April 6, 1893.

DEPARTMENT OF STATE
APR 11 1893
RECEIVED

Mr. Williams,
to the
Department of State.

Embargo on 600 bags flour for fines amounting to $850. imposed on the American Steamers "Tampa Hammock" and "Margaret" has been taken off by order of the Governor General of the Island.

One inclosure.

No. 1834.

U.S. Consulate General.
Havana, April 6, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

In continuation of my despatch number 1820 of the 18th ultimo, I now have the honor to accompany for the information of the Department a copy of a letter addressed on the 3rd instant by Messrs Lawton Brothers to this Consulate General, informing it that the embargo placed on bee bags of their flour, because of fines amounting to $850, imposed on the American steamers "Tampa Hammock" and "Margaret" to

their consignment eighteen years ago, with interest from date, has been taken off by order of the Governor General.

I am, Sir,
Very respectfully,
Your obedient Servant,
Chas. C. Williams,
Consul General.

Enclosure.
1. Messrs Lawton Brothers to Mr. Williams.

April 3rd 1893.

Enclosure No. 1

With Dispatch No. 1834.

H A V A N A , April 6, 1893.

HAVANA, April 3rd,1893.

Ramon O.Williams, Esq:

United States Consul General.

Havana.

Sir:

We beg to inform you that the embargo put on the 15t of March ultimo,on 600 sacks of american flour of our property for our refusing the payment of $850.- gold,for fines imposed on the captains of the american steamers "TAPPAHANNOCK" and "MARGARET", to our consignment eighteen years ago,the interest due on the same,and the subcharges in the second degree,has been taken off today by order of the Governor General of the Island.

We are,Sir, Yours re spectfully,

(Signed) LAWTON BROS:

p.p. Luis P.Malo.

Aug 8 Oct. 22 '93

No. 1835.

U. S. Consulate General.
Havana, April 6, 1893.

DEPARTMENT OF STATE
APR 11 1893
RECEIVED

Mr. Williams,
to the
Department of State.

Against the payment of import duties on a cargo of coke imported by Messrs Barrios & Co., in the American schooner "Mary E. Mabee" from New York.

One enclosure.

No. 1835.

U. S. Consulate General.
Havana, April 6, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

At the request of Messrs Barrios & Co, of this city, I beg to accompany for the information of the Department a copy of their letter addressed to this office on the 4th instant against the payment of import duties on a cargo of coke imported by them in the American schooner "Mary E. Morse," from New York, last October, which they claim should be free of import duties under paragraph 5 of Table A, of the Reciprocity Agreement.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ronan O. Williams
Consul General.

Enclosure.
1. Messrs Baines & Co to Mr Williams,
April 4, 1893.

Enclosure No. 1

With Dispatch No. 1835

H A V A N A , April 6 ñ893.

Copy.

Havana, April 4th 1893.

To the Consul General of the United States

in this city.

Sir:

The object of the present is to state to you, that owing to the protest we made before you on the 25th October, 1892, referring to the 728,770 kilos mineral coal coke, brought to our consignment from New York, by the Am: Schr: "MARY E.MORSE", and by which we objected to paying import duties and any other overcharges demanded of us, considering that the referred mineral coal coke was free of duty, accordingly with the Treaty of Reciprocity betwean Spain and the United States for the Islands of Cuba and Porto Rico, the Collector of Customs has addressed us the following communication.;-

"Havana Customs Administration.-

Register No.819, folio 266.

There is a seal here.

"By the autthorities of this Region, I receive the "following communication dated 28th ultimo.

" The Central Section of this Customs under date "of 2ist instant says the following:-

" Sir: I have the hon°r of feturning to Your "Excellency, the document produced in consequence of "official letter from the Consul of the United State "and of the protest of Messrs BARRIOS X CO, against

"the appraisement of voucher No.11913 of the Amer;
"Schr "MARY E.MORSE", in which they declared 728,770
"kilos mineral coal coke, by Section 6 of the Tariff
"as free of duties, same as in the new Repertory the
"said coal is not considered within the grace pre-
"tended, His Excellency the Governor General has con-
"firmed the appraisement practiced by the Custom
"House at this port,- And by his order I communicate
"same to Y.E. for your knowledge and other purposes.
"Which I transcribe to Your E. for the effects of
"its accomplishment."-

" And I transcribe it to you for your knowledge
"and the consequent effects.

Havana, 3rd April, 1893.

" (Signed) J.M.Zabalo.

Which we beg to apprise you of and will thank you to do what you can to protect our interest, which we consider unjustly treated in this case.

As is to be feared the Administration will now commence coming upon us to collect duties on the referred cargo, which, if possible, would thank you to impede.

With due consideration, Yours respectfully,

(Signed) Barrios y CO

p.p. J.R.Barrios.

-----0-----

No. 1836.

Ans. & ack. 25.'93
enclosure copy of instruction
to Madrid 25 of same 15

3RD ASSISTANT SECRETARY
APR 14 1893

DEPARTMENT OF STATE,
APR 13 1893
RECEIVED.

DIPLOMATIC BUREAU.
APR 15 1893

U. S. Consulate General.
Havana, April 7, 1893.

Mr. Williams,
to the Department of State.

To Min. at Madrid
15 apr. 93. m

Transmitting copy of a letter from importers of american products in this city against the collection of import duties by the custom houses of this Island on preserved american fruits.

One enclosure.

No. 1836.

U. S. Consulate General.
Havana, April 7, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

At the request of the Signers, importers of american products in this city, I now have the honor to accompany a copy of a letter addressed by them to this office on the 3rd instant, giving their reasons against the collection of import duties by the customhouses of this Island on preserved american fruits, hitherto imported free under paragraphs 9 of the Transitory and 35 of the Definitive Reciprocity Agreement between Spain and the

United States, and which letter they respectfully desire to submit through the Consulate General to the consideration of the Honorable Secretary of State.

I am, Sir,

Very respectfully,

Your obedient Servant,

Ramon O. Williams,

Consul General.

Enclosure.

1. Copy of letter as stated to Mr. Williams.

April 3, 1893.

Enclosure No. 1.

With Dispatch No. 1836

H A V A N A , April, 4, 1893.

Copy.

HAVANA, April 3rd,1893.

Ramon O.Williams, Esquire.

Consul General of the United States.

Havana.

Sir:

We, the undersigned, Merchants, doing business in this city, owing to the demands of the Collector of this Custom House, who exacts from us the payment of duties, (as per schedule C, No.59 of the Treaty with your Nation,) on Fruits Conserved and Preserved, which Fruits, in accordance with the Treaties between the United States of America and Spain, are in Schedule A, No.9 of the Transitory Treaty, and in Schedule A.No.35 of the Definite Treaty,- (by which stipulation said fruits are free of duties,) to you recur, in order to explain the reasons that, in our judgement, there are to consider unjust the demands aforesaid, and to request you to forward this, our present plaint to the Hon: Secretary of State of your Nation, so that he, studying the points herein raised, may determine, and exact as may be proper, the fulfilment of the stipulations of the said Treaty or Treaties, by the warranty of which, it does appear, we have placed in jeopardy our estates.

The Transitory and the Definite Treaties were offi-

cially published here on the 29th of August of 1891, and to the same was attached a Repertory, in all of which, Fruits appeared in Schedule A, in consonance with the English text of the Treaties.

In view of such data furnished by both the Spanish and the United States' Governments, it is not at all surprising that Merchants should have felt empowered and warranted in purchasing and contracting with producers in the United States for Fruits Conserved or Preserved, to be imported here, which fruits before the making of the said Treaties, could only be imported here in limited quantities, owing to the heavy duties to which they were subject.

Notwithstanding the clear language of the Treaty and of the Repertory, as soon as the importation of said fruit commenced, after the Treaty, this Custom House threatened us with the levying of duties on said conserved or preserved Fruits.

Owing to our various efforts, the Collector consulted the highest authority of this Island, and said authority, (using the power conferred on him by the Colonial Minister in Madrid, to decide here what doubts might arise in the application of the stipulations of the treaty, and by which power he was enjoined, when doubts might occur as between the Repertory and the Treaty, for <u>that</u> was THE LAW,) decided and ordered, that: "Fruits, fresh, dried and preserved,) except raisins,) " being respectively in Schedules A. No.9, and No. 35 of the Transitory and Definite Treaties, were FREE of duties. If we had any doubts before, said order dispelled them, and some of us increased

our contracts with the factories in the United States.

There was no further difficulty with the importation of Conserved ir Preserved Fruits, till the publication of the Repertory of the Treaty on the 25th of February last, in the official Gazette of this city, in which publication the said fruits made their appearance in Schedule C. No.59 .- Since then, this Custom House again demands the payment of duties on the afore-mentioned Fruits, not only on importations from that date, (February 25th,) but also on ALL Conserved or Preserved Fruits that may have been imported since the first treaty went into effect, September 1st, 1891. How arbitrary and unjust such a measure is, we leave to others to pass upon, besides that not the least consideration is taken of that liberal policy of which we read about in the State documents, preambles to the Treaty.

One has to bear in mind that ALL the Spanish publications of the Treaties, prior to the 25th of February last, and ALL the AMERICAN issues of the Treaties, place: "Fruits, fresh, dried and preserved, (except raisins") "on the FREE LIST, Schedule A.-

We cannot but consider that the Treaty is the LAW in such matters, and that the repertory is merely an adjunct to facilitate its working, and we hope to see justice fairly meted, and the stipulations of the said Treaty fairly observed.

The framers of the Treaty foreseeing the difficulties which might be originated, clearly expressed, as per documents published, that the Spanish officials were to be liberal in the carrying out of the provisions of the

Treaty; and also do said documents specify that the nomenclature is that of Commerce and of these Tariffs.

To what "Preserves" may the Treaties refer ? Was it to some unknown or unborn manufacture of the United States ? What are those "PRESERVES" but our CONSERVAS, such as put up by almost all peoples in tins,glass,&c, usually imported here ? We believe that "preserves" were inserted in the Treaty by its American framers,to protect their industries already extant,--- the very manufactories from whence we purchase.

Trusting,Sir, that you will attend to our petition, and forward the same to the State Department at Washington,

We remain, Respectfully Yours,

(Signed)	Berenguer,Negra & Co.	Obispo 29.
	Miro' y Mantecon.	San Rafael,32.
	Fonts y Vidaurrauaga.	Baratillo 3.
	J.M.Pinillos Y Co.	Oficios 70.
	Berriz Roca Y Ca p.o. Jose M.Berriz.	Reina 21.
	S.G.y Ruiz. p.p. A.Pellon.	O'reilly 11.
	E.Aguilera y Ca.	Oficios 29.

mf.

Ans & apr. 20
(dir. Strobel inverted
signature)

Mr. Grunnell

No. 1837.

U.S. Consulate General.
Havana, April 11, 1893.

DEPARTMENT OF STATE
APR 15 1893
RECEIVED.

Mr. Williams
to the
Department of State.

Fine of $1900 imposed on the american schooner "Nelson Bartlett" by the Havana custom house, reporting the denial by the Regional Governor of the rights of this Consulate General to address him in favor of american interests.

Six enclosures.

No. 1837.

U.S. Consulate General.
Havana, April 11, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I n the continuation of my report, made under despatch n° 1829 of the 29th ultimo; on the fine of $1900 imposed by the custom house of this port on the American Schooner "Nelson Bartlett" of Thomaston, Maine, I now have to crave the attention of the Department to the accompanying letter of the Governor of the Western Region of Cuba of that same date, signifying to me that my communi- cation addressed him on the

day

day before was not in the
proper order of procedure;
because the master, himself,
should have made it
directly, without any inter-
vention whatever; though
the Consul General of the
United States, may in his
capacity of a private person
give his attention to the
affair, with the assurance
of benevolent attention.

In view of this strange
and unprecedented letter of
the Governor of the Western
Region of this Island, I
have availed myself of
the alternative accorded to
all Consular officers under
the most favored nation
clause, whenever the au-
thorities fail to take due
notice of their applications, and
in the absence of any
diplomatic representative

of their countries, to address
my remonstrance direct
to the Governor General,
which I did on the 5th
instant, accompanying
therewith a copy of my note
to the Regional Governor on
the 28th ultimo, together with
two certified lists of 42
mistakes occurred to Spanish
vessels in New York, since
1884, the year in which the
President, by proclamation,
suspended reprisals against
spanish vessels arriving
with cargo in the ports of
the United States, all of which
42 mistakes of spanish
vessels were corrected at the
custom house of New York
by post entry at $2 each,
under Section 2887, without
the Spanish Consul General
at New York having had all
either to molest himself

or

of the Collector of New York
about the matter. Copies
of these communications
2/3/4 and the lists of the names
of the above mentioned 42
Spanish vessels are herewith
accompanied.

Alike disposition to
disallow the right of this
Consulate General to inter-
fere against fines imposed
on American Shipping,
having displayed itself
here in 1889 on the part of the
customs officials, I reported
the fact to the Department
in my despatch No. 1073 of
the 25th. of January, 1890.
I also reported in the same
despatch that their request
in the matter having been
referred by the Governor
General to the Council of
Administration, this body
reported against it and
in

in favor of the right of representation of this office in matters of the kind. The Department also upheld this right in its instruction No. 516 of the 19th of March, 1890, to this Consulate General with enclosure of a copy of its instruction of the 12th of the same month on the subject to our Minister at Madrid. 4½.

In this connection I would further observe, that judging from the declarations of the most perfect equality and reciprocity forming the basis of the treaty of amity and commerce of 1778 between the United States and France, being such as should underlie the commercial intercourse of all nations, it is hardly to be supposed that while France might

might have collected $2
from american shipping
for the correction of such
mistakes that she would
have allowed the custom
houses of the United States
to have collected at the rate
of $1900 or $30.000 from
french shipping in similar
mistakes. Neither can
it be supposed that Spain
would have consented for
her shipping to have been
subjected to any such un-
reciprocal treatment as her
West Indian custom houses
always attempt to thrust
on American shipping.
From this standpoint, and in
compliance with what I
considered to be an immediate
duty of this office, I presented
this question, in its general
aspect, to the Department in
my despatch nl 1300 of the
31st

31st of March, 1891, and
now avail myself of the
suitableness of the present
occasion to accompany 5/
herewith a copy of the said
despatch.

For the further in-
formation of the Department
I enclose a copy of a letter
addressed by the consignees
of this vessel, Messrs. Irujjen 6/
& C, under date of the 18th.
ultimo to the master,
informing him of the
fact of the imposition of
the fine; as also copy
of the master's letter to
this office of same date. 6/2

And in view of the
vastness of the american
interests now inter-con-
nected with the sugar
planting and commerce
of this Island, I cannot
too earnestly commend
the

the letter of the Regional Governor, because of its bearings thereon, to the serious attention of the Department.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

Sept. enclosures:

No. 1 – The Regional Governor to Mr. Williams – March 29/93.
" 2 – Mr. Williams to the Governor General, April 5/93.
" 3 – List of vessels referred to
" 4 – do. do. do.
" 4½ – Mr. Blaine to Mr Palmer.
" 5 – Mr. Williams' dispatch no. 1300, March 31/91.
" 6 – Messrs. Truffin & C to master of "Nelson Bartlett", March 18/93.
" 6a – Capt. Watts to Mr. Williams, do. —

Enclosure No. 1. 1837.
With Despatch No.
H A V A N A, April 11, 1893.

Copy translation.

Office of the Governor of
the Western Region and
Province of Havana.

Unofficial.

March 29, 1893.

Mr. Ramon O. Williams,

Consul General of the United States.

Dear Sir and distinguished friend:

I sent your communication of yesterday, the same day, for report to a member of the Committee on Tariffs, but I must signify to you that this is not the proper procedure, because the one who ought to make the remonstrance is the same master of the schooner "Nelson Bartlett" directly, without any intervention.

You, personally, can act in this affair, and I will have great pleasure in attending you in justice; with the assurance that the proceedings will not be delayed.

I, therefore, think it is better for the party interested to present his remonstrance, and I promise you, that on Monday this affair will be treated of in the Committee on Tariffs.

I reiterate myself, as always at your orders,

Signed: Antonio del Moral.

Enclosure No. 1.
With Despatch No. 1857.
H A V A N A , April 10, 1893.

Copy.

Gobierno de la Region
Occidental y de la Provin-
cia de la Habana.
Particular.
Marzo 29de 1893.

Mr. Ramon O. Williams,
Consul General de los Estados Unidos.

Muy Sr. mio y distinguido amigo:

Ayer mismo mande su comunicacion á informe de un Sr. Vocal de la Comision Arancelaria; pero debo significarle á V. que no es esta la tramitacion procedente, porque el que debe hacer la reclamacion es el mismo capitan de la goleta "Nelson Bartlett" directamente, sin intervencion alguna.

Usted, particularmente, puede sí gestionar el asunto, y yo tendre sumo gusto en atenderle en justicia; pudiendo desde luego asegurarle que no se demorará la tramitacion.

Conceptúo, pues, lo mas acertado, que haga el interesado su reclamacion y yo le prometo á V. que el Lúnes se tratara respecto al particular en la Comision Arancelaria.

Me repito, como siempre, á sus ordenes affmo. y S.S. Q. B. S. M.

Signed: Antonio del Moral.

Enclosure No. 2. /857.
With Despatch No.
H A V A N A , April 11, 1893.

Translated by Consul General Williams.

U.S.Consulate General.

Havana, April 5, 1893.

To His Excellency the Governor General

of the Island of Cuba.

Excellency:

I regret to find myself compelled to submit to Y.E. as well as to my own Government, for the determination of each, the letter of the Governor of this Region, in which he signifies to this Consulate General of the United States, his denial of its right, secured under the treaty with Spain, to address him directly in official form in defense of american interests, this procedure on his part being, in my opinion, contrary to the treaties, against the infraction of which, and for other useful purposes, consular officers are appointed and received by all commercial nations, as I shall now endeavor to demonstrate, through contrast, to the satisfaction of Y.E. as well as to that of my own Government, by citation of the said letter in contraposition to the articles quoted in continuation from the most complete consular conventions defining the rights of consular representation before the authorities of the countries in which such officers are established, this letter reading as follows:

(Translation)

"Office of the Governor of the Western Region

"and Province of Havana.

"Unofficial.

"March 29,1893.

"Mr.Ramon O.Williams,

"Consul General of the United States,

"Present.

"Dear Sir and distinguished friend:

"I sent your communication of yesterday, the "same day, for report to a member of the Committee "on Tariffs, but I must signify to you that this is "not the proper procedure, because the one who ought "to make the remonstrance is the same master of the "schooner "Nelson Bartlett"directly, without any "intervention.

"You, personally, can act in this affair, and I "will have great pleasure in attending you in jus- "tice; with the assurance that the proceedings will "not be delayed.

"I, therefore, think it is better for the party "interestedto present his remopstrance, and I pro- "mise you, that on Monday this affair will be "treated of in the Committee on Tariffs.

"I reiterate myself, as always at your orders,

(Signed) Antonio del Moral".

Now, Excellency, on addressing my official note of the 28th ultimo to the Regional Governor, respecting the affair of the aforesaid american vessel, which has occasioned this plain denial of the right of complaint and of remonstrance on the part of this office in defense of american intererests in this district, and in this Island, I did

it in the understanding that I was fully authorized for the proceeding by the Treaty of 1795 between the United States and Spain, and because, also, acting in accordance with the precepts of all existing consular conventions; and in support of this understanding, I will now cite, as above indicated, the parts from some of the treaties found most relating to this affair of the american schooner "Nelson Bartlett", beginning with article 19 of the said Treaty of 1795, which says:

"Consuls shall be reciprocally established with "the privileges and powers which those of the most "favored nations enjoy in the ports where other "Consuls reside or are permitted to be".

Now, Excellency, under the provisions of this article consular officers are established by the Government of Spain in all the ports of the United States where consular officers are allowed, and they are there received and treated on an equal footing, with the enjoyment of all the powers, privileges and immunities granted to like officers of the most favored nation. Consequently, for the measurement of the scope of those privileges, powers and immunities enjoyed by spanish consular officers in the United States and of the reciprocal rights enjoyed by american consular officers within the dominions of Spain, I have only to recur for its ascertainment to the rule proportioned by the corresponding articles of the consular treaties between the United States and Austria, the Argentine Republic, Belgium, France, Germany and Italy; or even to the similar treaties between Spain and these countries; because of their similarity in both

cases. And, again, for the purposes of this exposition I will select examples from the consular treaties between Austria, Germany, Italy and the United States, because of their fulness on the subject, commencing now with article 8 of the consular treaty of 1870 between Austria and the United States, which says:

> "Consuls-General, Consuls, Vice Consuls or Con-
> "sular agents of the two countries, may in the exer-
> "cise of their duties apply to the authorities
> "within their district, whether federal or local,
> "judicial or executive, in the event of any infrac-
> "tion of the treaties between the two countries;
> "also for the purpose of protecting the rights of
> "their countrymen. Should the said authorities
> "fail to take due notice of their application they
> "shall be at liberty, in the absence of any diplo-
> "matic representative of their country to apply to
> "the Government of the country where they reside".

Article 8 of the consular treaty of 1871, between the German Empire and the United States, also says:

> "Consuls-General, Consuls, Vice Consuls and Con-
> "sular agents shall have the right to apply to the
> "authorities of the respective countries, whether
> "federal or local, judicial or executive, within the
> "extent of their consular district, for the redress
> "of any infraction of the treaties and conventions
> "existing between the two countries, or of interna-
> "tional law; to ask information of said authorities,
> "and to address said authorities to the end of pro-
> "tecting the rights and interests of their country-

"men, especially in cases of the absence of the "latter; in which cases such consuls, etc, shall be "presumed to be their legal representatives. If due "notice should not be taken of such application, the "consular officers aforesaid, in the absence of a di- "plomatic agent of their country, may apply directly "to the Government of the country where they re- "side".

And article 9 of the consular treaty of 1868 between Italy and the United States, likewise says:

"Consuls-General, Consuls, Vice Consuls and "Consular agents may have recourse to the authori- "ties of the respective countries within their dis- "tricts, whether federal or local, judicial or exe- "cutive, for the purpose of complaining of any infrac- "tion of the treaties or conventions existing be- "tween the United States and Italy, as also in order "to defend the rights and interests of their "countrymen.

"If the complaint should not be satisfactorily "redressed, the consular officers aforesaid, in the "absence of a diplomatic agent of their country, may "apply directly to the Goverment of the country "where they reside."

And now, Excellency, from the application of the above cited articles, it must be clear to every understanding that under the most favored nation clause of article 19 of the treaty of 1795 between the same nations, the con-

sular officers of Spain in the United States must succeed, in common, to the enjoyment of all the rights, privileges and immunities granted by the Government of the United States to the consular officers of Austria, Germany, Italy, and other nations; and, reciprocally, the consular officers of the United States, established within the dominions of Spain, must likewise, in common, with the consular officers of all other nations, succeed and enjoy an equality of rights, such as are enjoyed by the consular officers of Spain and of other nations within the States of the American Union.

It is, therefore, from these premises that I deduce the conclusion that the Regional Governor on telling me that the master of the american schooner "Nelson Bartlett must present his remonstrance direct to him, with exclusion of the intervention of this office, infringes the provisions of article 19 of the Treaty of 1795 and of article 12 of that of 1819 between Spain and the United States in the matter concerning the owners of this american vessel.

But since the rights of this office to defend american interests is denied, especially in the absence of the parties thereto, as occurs in the present case, because of the owners of the american schooner "Nelson Bartlett" having their residence at the city of Thomaston, in the State of Maine; I have, therefore, to avail myself of the alternative offered by the consular conventions, just quoted, in cases of failure of the authorities to take due notice of consular complaints, of which the Regional Governor has just given such signal proof, to address

myself, in the absence of a diplomatic agent of the United States, directly to the General Government of this Island.

And now in the exercise of this alternative I have the honor to accompany for the consideration and decision of Y.E., a copy of my said communication addressed on the 28th ultimo to the Regional Governor, in defense of the american schooner "Nelson Bartlett" which has been fined $1900 by the custom house of Havana for a mistake committed in her manifest by a clerk in the office of the agent in New York, notwithstanding the weight in the bill of lading held by the city government, for whose account the cargo was brought, is correct.
Also, in support of my petition asking for the condonation of this fine, I likewise accompany for the consideration of Y.E. a list of thirty eight vessels and another of four, or say in all forty two like cases occurred to the manifests of spanish vessels in the port of New York, since 1884, the year in which by the proclamation of His Excellency the President of the United States, as provided by sections 4228 and 4231 of the Revised Statutes, reprisals were suspended against spanish vessels arriving with cargo in the ports of the United States. All these forty two mistakes of spanish vessels have been corrected in New York at the cost of a fee of $2 each, without fine and without the necessity of the intervention of the consul general of Spain at New York; because conceded by section 2887 of the said Statutes in favor of all foreign vessels whose nations observe a similar equity and justice toward the merchant vessels

of the United States.

I have the honor to remain with great respect, Your Excellency's obedient servant,

(Signed) Ramon O. Williams,

Consul General.

Enclosure No. 2.
With Despatch No. 1837.
H A V A N A, April 11, 1893.

Copy.

Consulado General de los
Estados Unidos.
Habana, Abril 5 de 1893.

Excmo. Sr. Gobernador General de la Isla de Cuba.

Excmo. Sr:

Con sentimiento me veo en la necesidad de someter á la consideracion de V.E. y á la de mi Gobierno, para sus respectivas resoluciones, una carta del Excmo. Sr. Gobernador de esta Region, en la que niega el derecho, garantizado por el tratado con España, que tiene este Consulado General de los Estados Unidos de dirigírsele directamente en forma oficial, en defensa de los intereses americanos; este proceder del Excmo. Sr. Gobernador Regional, es en mi opinion, opuesto á los tratados, contra la infraccion de los cuales y para otros fines útiles son nombrados y recibidos por todas las naciones comerciales del mundo, los funcionarios consulares, segun intentaré demostrar satisfactoriamente, por medio del contraste, á V.E. asi como á mi Gobierno, copiando al efecto dicha carta en contraposicion á los articulos citados á continuacion, y tomados de los convenios consulares mas completos que definen los derechos de representacion de dichos funcionarios ante las autoridades de los paises en que se hallan establecidos, he aqui la carta:

"Gobierno de la Region Occidental y de la
"Provincia de la Habana.

"Particular.-Marzo 29 de 1893.

"Muy Sr.mio y distinguido amigo:

"Ayer mismo mande su comunicacion a informe "de un Sr.Vocal de la Comision Arancelaria; pero "debo significarle a V.que no es esta la tramita- "cion procedente,porque el que debe hacer la recla- "macion es el mismo capitan de la goleta "Nelson "Bartlett directamente,sin intervencion alguna.

"Usted,particularmente,puede si gestionar el "asunto,y yo tendre sumo gusto en atenderle en jus- "ticia; pudiendo desde luego asegurarle que no se "demorara la tramitacion.

"Conceptuo,pues,lo mas acertado,que haga el in- "teresado su reclamacion y yo le prometo a V.que el "Lunes se tratara respecto al particular en la Co- "mision Arancelaria.

"Me repito,como siempre,a sus ordenes affmo.y S.S.Q.B.S.M. (Signed) Antonio del Moral.

Ahora bien,Excmo.Sr.,al dirigir mi carta oficial del 28 del pasado al Excmo.Sr.Gobernador Regional,respecto al caso del referido buque americano,que ha motivado la denegacion de este derecho de representacion y reclamacion por parte de esta oficina en defensa de los intereses americanos en esta jurisdiccion y en esta Isla, lo hice en la inteligencia de que estaba plenamente autorizado para ello por el tratado de 1795 entre Espana y los Estados Unidos,y ademas que procedia conforme a los preceptos de todos los convenios consulares vigentes; y en apoyo de este criterio citare,como antes tengo indicado,aquellas partes de algunos de los tratados que se relacionan con este asunto de la goleta americana

"Nelson Bartlett", comenzando con el articulo 19 del celebrado con España en 1795, que dice asi:

"Se estableceran consules reciprocamente con "los privilegios y facultades que gozaren los de las "naciones mas favorecidas en los puertos donde los "tuvieran estas ó les sea lícito el tenerlos".

Asi es, Excmo. Sr., que segun lo preceptuado en este articulo el Gobierno de España tiene establecido sus funcionarios consulares en los puertos de los Estados Unidos donde el Gobierno Federal los permite por parte de otras naciones, y allí se les recibe y se les trata bajo el mismo pie de igualdad que á los demas funcionarios análogos en cuanto á privilegios, poderes é inmunidades. Por consiguiente, para averiguar la medida de accion que ejercitan los consules de España en los Estados Unidos y los privilegios, poderes é inmunidades de que han de gozar reciprocamente los funcionarios consulares americanos en los dominios de España, solo tengo que recurrir á la regla que proporcionan los correspondientes articulos de los tratados consulares entre los Estados Unidos y Austria, la República Argentina, Bélgica, Francia, Alemania é Italia, ó á los tratados parecidos entre España y otras naciones, por su semejanza en ambos casos. Y á los fines de esta exposicion elegiré por ejemplos y por razon de su plenitud de expresion á los tratados consulares de Austria, Alemania e Italia con los Estados Unidos, empezando por el articulo 8 del Tratado consular de 1870 entre Austria y mi nacion, que dice:

"Los consules generales, consules, vice consules "o agentes consulares de ambos paises podran en el

"ejercicio de sus funciones dirigirse a las auto-
"ridades de su distrito, bien sean federales o
"locales, judiciales o ejecutivas, para reclamar con-
"tra toda infraccion de los tratados y convenios
"existentes entre ambas naciones; tambien con ob-
"jeto de protejer los derechos de sus compatriotas.
"Si sus reclamaciones no fuesen atendidas por dichas
"autoridades, podrán recurrir dichos funcionarios
"consulares a falta de agente diplomático de su
"pais al Gobierno del pais en que residan".

El articulo 8 del tratado consular de 1871, entre el Imperio Aleman y los Estados Unidos, tambien dice:

"Consules Generales, Consules, Vice Consules o
"agentes consulares tendrán el derecho de dirigirse
"a las autoridades de los respectivos paises, bien
"sean federales ó locales, judiciales o ejecutivas,
"dentro del término de sus distritos consulares,
"para la reparacion de cualquier infraccion de los
"tratados y convenios existentes entre ambos paises,
"o de las leyes internacionales; para pedir informes
"a dichas autoridades á fin de protejer los derechos
"é intereses de sus compatriotas, especialmente en
"caso de ausencia de estos ultimos; en cuyo caso
"dichos consules, etc. serán aceptados como sus le-
"gales representantes. Si sus reclamaciones no
"fuesen atendidas por dichas autoridades, podran re-
"currir dichos funcionarios consulares a falta de
"agente diplomatico de su pais al Gobierno del pais
"en que residan".

Y el articulo 9 del tratado consular de 1868 entre Italia y los Estados Unidos, aismismo dice:

"Los consules generales, consules, vice consules "o agentes consulares podrán recurrir á las autori- "dades de los paises respectivos, dentro de su dis- "trito, bien sean federales ó locales, judiciales ó "ejecutivas, con el objeto de quejarse de cualquier "infraccion de los tratados ó convenios consulares "existentes entre los Estados Unidos e Italia, ais "como para defender los derechos e intereses de sus "compatriotas. Si sus reclamaciones no fuesen aten- "didas por dichas autoridades, podrán recurrir dichos "funcionarios consulares á falta de agente diplo- "mático de su pais, al Gobierno del pais en que re- "sidan".

Por lo tanto, de la aplicacion de los articulos citados se desprende a todas luces que bajo la clausula de la nacion mas favorecida del articulo 19 del tratado de 1795 entre Espana y los Estados Unidos, confirmado por el articulo 12 del tratado de 1819 entre ambas naciones, los funcionarios consulares de Espana en los Estados Unidos lograrán, en comun, gozar de todos los derechos, privilegios é immunidades concedidas por el Gobierno de los Estados Unidos a los funcionarios consulares de Austria, Alemania, Italia y demas naciones; y, recíprocamente, los funcionarios consulares de los Estados Unidos, establecidos en los dominios de España, han de gozar en comun, iguales derechos, privilegios e immunidades a los que ejercitan los funcionarios consulares de Espana y de otras naciones en los Estados de la Union Americana.

De aqui deduzco la conclusion de que el Excmo.Sr. Gobernador Regional al manifestarme que el capitan de la goleta americana "Nelson Bartlett"le debe presentar directamente su representacion,con exclusion de la intervencion de este Consulado General,falta á lo convenido en el articulo 19 del Tratado de 1795 y en el articulo 12 del de 1819 entre España y los Estados Unidos en lo concerniente á los armadores de este buque americano. Y puesto que le niega á esta oficina el cumplir con su deber,cual es el de defender los intereses americanos,especialmente en los casos de ausencia de los interesados, como sucede en el presente caso con los armadores de la goleta americana "Nelson Bartlett" que residen en la ciudad de Thomaston,en el Estado de Maine; tengo por consecuencia que valerme de la alternativa ofrecida por los convenios citados en los casos que no sean atendidas las reclamaciones consulares por las autoridades á que van dirigidas,como acaba de dar tan señalada prueba el Sr.Gobernador de esta Region,para poder dirigirme,en ausencia de agente diplomatico de los Estados Unidos, directamente al Gobierno General de esta Isla.

Y ahora en el ejercicio de esta alternativa tengo el honor de acompañar para la consideracion y decision de V.E.,una copia de mi referida comunicacion dirigida el 28 del mes pasado al Excmo.Sr.Gobernador de esta Region,en defensa de la goleta americana "Nelson Bartlett" multada en $1900 por la aduana de la Habana por una equivocacion cometida en su manifiesto por un dependiente en la oficina del agente en Nueva York,no obstante que aparece correcto el peso en el conocimiento

en poder del Ayuntamiento por cuya cuenta condujo el cargamento.

Asimismo, en apoyo de esta peticion para la condonacion de dicha multa, tambien acompaño para la consideracion de V.E., dos listas, una de treinta y ocho y otra de cuatro, o sea un total de cuarenta y dos casos semejantes ocurridos a los manifiestos de buques españoles en el puerto de Nueva York desde 1884, año en que Su Excelencia el Sr.Presidente de los Estados Unidos proclamó la suspension de las represalias previstas por las secciones 4228 y 4231 de los Estatutos Revisados existentes hasta esa fecha contra los buques españoles que llegaban con carga á los puertos de los Estados Unidos. Todos estos cuarenta y dos errores han sido corregidos á favor de los buques españoles mediante el cobro de $2 cada uno, sin multa y sin necesidad de intervencion de parte del Sr.Consul General de España en Nueva York; por concedérselo la seccion 2887 de los citados Estatutos a favor de todos los buques procedentes de puertos estrangeros cuyas naciones observen semejante equidad y justicia con los buques mercantes de los Estados Unidos.

Tengo el honor de ser con el mayor respeto de V.E.

ato.S.S.Q.B.S.M.

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 3.

With Dispatch No. 1837.

H A V A N A , April, 11, 1893.

COPY.

STATEMENT of 38 cases in which additions to the manifests of Spanish vessels were made by "post entries" at the port of New York, after entrance, during the years from 1884 to June 1890- The fee in each case being $2.

Date of arrival.	Name of Vessel.	Wherefrom.
	-----1884.-----	
Feb 7.	Bg VIRGINIA del Buen Camino.	St.John.P.R.
Aug: 14.	S.S. Antillas.	Port Antonio, Ja.
	-----1885.-----	
Jan :10.	S.S. Lucero.	Sagua., Cuba.
May 1.	" Antillas.	Kingston, Ja.
July 8.	" Carranzas.	Bilbao, Spain.
" 24.	" Cris: Colon.	Havana, Cuba.
Sept 15.	" Emiliano.	Sagua, Cuba.
" 24.	" Guillermo.	" "
Oct: 29.	" Andes.	Arecibo, P.R.
Dec: 21.	" Andes.	Kingston, Ja.
	-----1886.-----	
Mar 31.	S.S. Emiliano.	Cienfuegos, Cuba.
July 29.	" Antillas.	Porto Rico.
Oct: 21.	Bark Anita.	Havana, Cuba.
Nov 19.	S.S. Mexico.	Havana, Cuba.
	----- 1887.-----	
Jan 3.	S.S. Eliano.	St.John, P.R.
" 29.	" Panama.	Havana, Cuba.

---- 1887.(Continued.)

Aug	8.	S.S. Carolina.	Guantanamo.Cuba.
Sep:	29.	" Panama.	Havana, Cuba.
Nov:	19.	" Mexico.	Havana, Cuba.

----- 1888.-----

Jan	30.	S.S. Panama.	Havana, Cuba.
Feb	29.	" Mexico.	""
Ap:	9.	" Baldo Yglesias.	""
"	10.	" Mexico.	""
"	30.	" M.L.Villaverde.	""
May	9.	" Mexico.	""
"	29.	" Mexico.	""
July	30.	" Mexico.	""
Oct:	29.	" Mexico.	""

------1889.-----

Jan	10.	S.S. Habana,	Havana, Cuba.
Feb	29.	" Habana.	""
Aprilll		" Panama.	""
May	20/	" Habana.	""
June	10.	" Habana.	""
"	20.	" Mendez Nunez.	""
Oct	26.	" Baldo Yglesias.	""

-----1890.

Mar	15.	S.S. Vizcaya.	Havana, Cuba.
May	26.	" Mendez Nunez.	""
Jun	26.	" Habana.	""

Collector's Office, Port of New York.

January 30,1891.

I hereby certify that the foregoing statement is a correct transcript from the records on file in this office.

(Signed) John H.Gunner.
Deputy Collector.
Lst Marine Division.

Enclosure No. 4.

With Dispatch No. 1837

H A V A N A , April, 11, 1893.

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Copy.

Statement of 4 cases in which additions to the manifests of Spanish vessels were made by "post entry" at the port of New York after entrance, during 1891 &'92.

Date of arrival.	Name of vessel.	Where from.
	---- 1891.	
June 8	S.S. Mexico.	Havana.
Oct 18	" Ciudad Condal.	""
Nov 6.	" Panama.	""
	-----1892.-----	
April 25.	S.S.Mexico.	Havana, Cuba.

Collector 's Office, Port of New York.

September 14th 1892.

I hereby certify that the foregoing statement is a correct copy taken from the records on file in this office. (Signed) John H.Gunner.

Deputy Collector.

Ist Marine Division.

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Enclosure No. 4½. 1837.
With Despatch No.
H A V A N A, April 11, 1893.

Copy.

No. 71.

Department of State.

Washington, March 12, 1890.

Thomas W. Palmer, Esq.

etc. etc. etc.

Madrid.

Sir:

I transmit herewith for your examination copies of despatches numbered 1073, 1080 and 1085, dated respectively, January 25, February 4, and 15, 1890, from our Consul General at Havana.

It appears from those despatches that a number of fines and penalties imposed on american vessels by the customs officials of the Island of Cuba and decided, on appeal to the Cuban Central Government or to the Imperial Government of Spain, to have been wrongfully imposed, have not been refunded to the owners of the respective vessels nor to their agents, but are still retained by the customs officials who collected them.

The despatches furnish the names of the vessels and the amounts of the fines and dues wrongfully collected, with sufficient particularity to serve the purpose of this communication.

It appears further that the Cuban Central Customs Office has manifested a disposition to question the right of the Consul General of the United States at Havana to make remonstrance directly to the Cuban autho-

rities in relation to fines and impositions on american vessels visiting Cuban ports; and that official communications of the Consul General to the Governor General of the Island, written in July and August last, in relation to some of the cases of fine, above referred to, have not been answered.

You are instructed to lay the facts stated in the within enclosures, before the Minister of Foreign Affairs, and request the intervention of the Imperial Government.

1st to cause the restoration to the proper owners, or to their agents, of the money adjudged to have been unlawfully collected from American vessels by the Cuban Customs and port officials and still withheld; and (2) to impress upon the Cuban authorities the right of our Consul General, under the most favored nation clause in Article XIX of the Treaty of 1795 between the United States and Spain, to address the Cuban authorities in remonstrance against unlawful impositions on citizens of the United States visiting or doing business in Cuban territory.

I am, Sir, your obedient servant,

James G. Blaine.

Enclosure No. 5:

With Dispatch No. 1837.

H A V A N A , April, 11, 1893.

Copy.

No. 1300.

U.S.Consulate General.

Havana, March 31,1891.

Hon : William F.Wharton,

Assistant Secretary of State,

Washington. D. C.

Sir:

In view of the present negotiation for the improvement of the commercial relations between the United States and Spain,and of the appropriateness of the occasion, I now beg most earnestly and respectfully to commend to the attention of the Department the propriety on the part of the Government of Spain to adjust certain paragraphs of custom house regulations of the Island of Cuba to corresponding parts of the custom house regulations of the United States,in order that american vessels may attain,by right,a treatment in the ports of this Island equal to that which has been and is granted,under similar circumstances,in the United States to spanish vessels, but which equality of treatment,as the correspondence of the Department of State and this Consulate General will show, has been persistently denied to american vessels,despite the modus vivendi existing between Spain and the United States.

In illustration of this subject, I herewith cite a few varied cases, each typical of many others, to show by contrast the difference of treatment accorded to the vessels of each nation under the operation of the custom house regulations of the other.

As will be seen in the end, in every bona fide instance, these regulations have been interpreted in the United States to the benifit of spanish vessels, while in Cuba, they have been interpreted to the detriment of american vessels.

As the first example in the order of illustration, I now cite the case of the american steamship "CIENFUEGOS," which occurred in the port of Havana in November, 1887, and was the subject of my dispatch number 721, and series, of the 10th of the same month. This case grew out of the clandestine placing of eight boxes of opium on board while the vessel was loading at the wharf in New York. Upon information redeived, the collector of this port ordered a search to be made on her arrival here, which resulting fruitless, was repeated after she had finished unloading. This second search, as reported at the time, resulted in the finding of the opium, which, after the usual proceedings, was very justly confiscated; but the ship, that is, the common carrier, was most unjustly fined and forced to pay the sum of $8,412.- because of the eight boxes of opium furtively placed on board, without any knowledge of the owners and master.

Now, this fine was imposed and collected by the Colonial Government in obedience to paragraph 12 of article 121 of the Cuban custom house regulations, which reads,

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when translated into English, as follows :-

" For each package of merchandise found on board "not comprehended in the manifest, the master will "pay from two to ten times the duty charged in the "tariff on the goods therein contained." But in contrast to this, the law of the United States of the 8th of February, 1881, would treat this case as follows:-

" An act to amend the law relative to the seizure "and forfeiture of vessels for the breach of the " "revenue laws:-

" That no vessel used by any person or corpora- "tion, as common carrier in the transaction of their "business as such common carrier, shall be subject "to seizure or forfeiture by force of the provisions "of Title 34 of the Revised Statutes of the United SStates, unless it shall appear that the owner or "master of such vessel, at the time of the alleged "illegal act was a consenting party or privy there- "to.--

Accordingly, a spanish steamship under similar circumstances in the United States, though the opium would have been confiscated there as here, would have been released from all penalty, because of it not having appeared that her owners and master were parties to the illegal act. Indeed, all the circumstances went to show that the attempt to smuggle was made by parties in New York, leagued with others in Havana and the steward on board of the steamer. Yet the american owners who were entirely innocent had to suffer the loss of $8,412.- in Cuba.

The second case which I select for illustration, is that of the american steamship "CITY of WASHINGTON", upon which a fine of $30,000. was imposed by the Collector of the port of Havana last August, because of a mistake committed in her manifest at the counting -room of the owners in New York, and of which the custom house officials of Havana were advised by telegraph forty eight hours before the vessel even entered ~~entered~~ the jurisdictional waters of the Island of Cuba. This case was reported to the Department in my dispatch number 1225 and series, commencing the 15th of December, 1890.

As will be seen on revision of the correspondence, the agents here communicated information of the mistake to the Collector when the vessel must have been off the coast of Georgia, invoking, at the same time, the provisions of paragraphs 11 and 12 of article 26 of the customs regulations of this island in favor of the vessel. This paragraph 11 reads as follows:-

" If the owners, shippers or consignees should "notice that the certified manifest, of which the "master is the bearer, contains any error, they will "give notice of it to the Collector of the port to "which the vessel is bound, which officer will report "the fact immediately to the Intendancy General, with "remission of the documents received."-

The next paragraph 12 reads as follows:-

" The Intendancy General will admit <u>or not</u> the "correction solicited, provided the vessel has not "touched at any port of the Island at the date the "custom house shall havereceived and reported the "error."-

But, notwithstanding all this care and precaution on the part of the owners in New York, and of the agent in Havana, and the fact that the vessel was still some five hundred miles beyond the jurisdictional waters of Cuba, still the petition was rejected under the discretional authority conferred by paragraph 12 on the Intendant General. But, in opposition to this treatment, had the mistake occurred in the manifest of a spanish vessel bound to a port of the united States, then the spanish master would have been permitted to correct it under section 2887 of the Revised Statutes at the regulation cost of $2, or say, fifteen thousand times <u>less</u> than the amount charged in Cuba to this american vessel.

In this case there is also the assertion of an extra- territorial authority on the part of Spain; because the mistake for which the vessel was fined, occurred within the jurisdiction of the United States, and not within that of Spain.-

In the third case for illustration and contrast, I will cite the two fines, one of $200. imposed by the Matanzas Custom house, and another of $400.-imposed by that of Cardenas, on the american steamer "SENECA", last September; the first was for the short delivery of a barrel of hardware, and the second for that of two plows, which, in both instances had been left behind in New York, as attested by proofs. Now, the master of a spansih vessel would have settled both these cases in the United States by <u>post entries</u> under the same section 2887 of the Revised Statutes at a cost of $2. each. But the american master

is charged one hundred times more in the one, and two hundred times more in the other case,under the said paragraph 13,article 121 of the custom house regulations of Cuba.

The fourth sample case is that of the american bark "EVANELL", rpported in my dispatch number 1213,of the 1n of November,1890,and series. This vessel was fined $500. by the custom house of Santiago de Cuba last October,because of the master having had his manifest visaed by the local authorities of St.Pierre,Martinique,--there being no spanish consul there,-- and because he did not go to the port of Fort France,in the same Island,where it is alleged a spanish consul is stationed. This case,is founded upon the extra-territorial authority asserted by paragraph 1 of article 121 of the Cuban suctom house regulations. In this instance it was exercised over an amerivan vessel within the jurisdiction of France. - This fine is founded upon articles 26,27 and 121 of the Cuban sustom house regulations,which when translated,read as follows.--

"Article 26. Every master of a vessel loaded or in "ballast,from a foreign portmwith cargo either in "transit for bond,or transhipment,or for immediate "consumption,will be obliged,on arriving at a port "of the Island,tp present a Manifest comprehensive "of the cargo,packages and bundles on board,sub- "scribed by him and visaed by the consul at the port "of his departure,and should there be no consul at "such port,then by the local or administrative auth- "ority of the port of departure.

"Article 27. The masters of vessels can only certify

"their manifests by the local or administrative "authority of the port of departure as provided for "by aricle 26, when the residence of the Consul is "more than thirty kilometers,if the distance is less "they are obliged to have them visaed by the near- "est consul or vice consul."-

"Article 121 paragraph 1. For not having the mani- "fest visaed on entering the jurisdictional waters "or in the port,the master will pay five hundred "dollars,without prejudice to the application of "the fine in accordance with the follwing case un- "der article 26."-

It will be seen upon inspection of these articles 26 and 27 of the custom house regulations of Cuba,as already noted above,that they assert and exercise an extra-territorial right in all foreign countries over vessels bringing cargoes to the ports of the Island,by compelling the masters to present themselves before the spanish consuls and local authorities in such foreign ports for the certification of their manifests. But in contrast to this rule of Spain,the United States neither pretend nor exercise the similar right beyond their own jurisdictional waters of exacting the presentation of the manifests of vessels bringing cargoes into the ports of the United States from foreign countries. Masters of foreign vessels bound to the United States are not compelled to go before the consuls of the United States in foreign ports for the certification of their manifests.

Under sections,2806,2807,2808,2809,2810,2811,2812, 2813,2814,and 2815 of the Revised Statutes,and articles

146 and 147 of the customs regulations of the United States, vessels from foreign countries are not required to present their manifests to the customs officials till they arrive within four leagues of the coast, or within the limits of a collection district.

As the fifth sample case, I now cite that of the 44 fines on american vessels in this port, amounting to -- $5165.13, reported in my dispatch number 1014 of August 6th, 1889, and imposed, -- but not yet collected, -- because of the remonstrance from this office. Now had these cases occurred to spanish vessels in the United States, they would have been settled by post entries under section 2887 of the Revised Statutes, at $2. each or a total cost of $88., as attested by the enclosed list of the 38 similar cases occurred to spanish vessels in the port of New York.

Upon reviewing these several cases, it will be seen that if there is to be an equal treatment for the vessels of the two nations in the ports of each other, then, the United States must either assimilate their customhouse regulations to those of Cuba at these, as it were, clashing or obstructive points, or else Spain must assimilate those of Cuba at the same point of contact to those of the United States.

As commerce between nations thrives and contributes the more to their happiness the less it is hampered, it would seem that the better way to avoid these conflicts would be for Spain to modify and adjust these Cuban regulations to those of the United States. At this point I beg to

call attention to the dispatch number 13 addressed by our minister to Spain, then, Mr. Belmont, dated April, 1o, 1889, to the Secretary of State in reply to the Department's instruction number 27 of February 20, of the same year, directing him to submit certain propositions for incorporation in the existing Modus vivendi for the prevention of the vexatious treatment given to american vessels by the customs officials of this Island. It will be seen therein that Mr. Belmont reported that the minister of State informed him after consultation with his colleague the minister of the Colonies, that the Spanish Government could not then accede to the proposed addition to the modus vivendi on the ground that it involved an entire change in the methods of custom house administration in Cuba, which the government of Spain was not at that time prepared to undertake. But from my stanpoint it would not seem difficult to find a way to adjust these points of variance if there were a will thereto.

(1.) By inserting in the custom house regulations of Cuba the right of post entry and addition to manifests in the same sense and extent allowed by the aforesaid section 2887 of the Revised Statutes of the United States then, such cases as those of the "SENECA" herein mentioned would be avoided by all vessels arriving in the ports of Cuba, and they would be put thereby on an equality with the thirty eight cases of spanish vessels in New York, the list of whose names and dates of occurrence is herewith attached. At this point I would remark that formerly sailing vessels were allowed twelve working hours or

twenty four running hours after arrival for the masters to correct their amnifests, and in the case of steamers, this was allowed to be done by the consignees after they had left port. These franchises were stopped by the Customs regulations of 1881.

(2.) And by assimilating paragraph 13 of article 121 of customs regulations of Cuba to the Act of Congress of the 8th of February 1881, innocent owners and masters would be released from the responsibility of the criminal acts of others, as in the case of the "CIENFUEGOS" above cited.

(3.) Again, by re-adopting the regulation formerly in vogue here of only requiring the masters of vessels to present their manifests on reaching the jurisdictional waters of Cuba, as is required in the same case in the United States, with the right of post entry as allowed by section 2887 of the Revised Statutes, such cases as those of the "CITY of WASHINGTON", and "EVANELL" would be avoided.

The changes herewith recommended towards the adoption of a rule that will work, reciprocally, both ways, can be easier done on the part of the Government of Spain than on the part of the Government of the United States. For in the first place the minister of the Colonies of Spain has ample authority thereto, while in the United States, it would require the joint approval of Congress and the Executive.

I am, Sir, Very Respectfully, Your Obedient Servant,

(Signed) Ramon O. Williams., Consul General.

Enclosure No. 6

With Dispatch No. 1837.

H A V A N A , April, 11, ;893.

Copy.

HAVANA, March 18th 1893.

Ramon O.Williams,Esq:

U.S.Consul General.

Havana.

Sir:

I beg to enclose a copy of a letter received today f from my consignees in this port,Messrs TRUFFIN & CO,in regard to a fine of $1,900- imposed by the Custom authorities on my vessel,the Amer: Schr: "NELSON BARTLETT",of Thomaston,Me,for a difference of weight between bill of lading and manifest.

This vessel was cleared from New York,on the 27 th February last,by Messrs SNOW & BURGESS,with a cargo of curbing and paving stone for Havana,according to bill of lading of 212,850 kilos weight. The manifest was made out by said firm from a memorandum given me by Messrs WAYDELL & CO,who loaded the vessel, of the weight of the stone. I supposed it to be correct and signed it in their office, and it was then taken by one of their clerks to the Spanish Consulate General for the consular authentication to the manifest.

I sailed from New York on the 1st March and arrived here on the 14th March.

I have therefore respectfully to ask that you will present the matter before the authorities in order that

Enclosure #2 to No. 2

my vessel may be released from said fine and suffer no delay when discharged, as it will probably be within a few days.

Respectfully, Your obedient servant,

(Signed) Joseph W. Watts,

Master Schr "NELSON BARTLETT".

Copy of letter referred to in foregoing letter.

HAVANA, March 18th, 1893.

Capt: Watts, Schr "NELSON BARTLETT".

Dear Sir: We beg to inform you that we have been notified by the Ayuntamiento of this city for which corporation your cargo of paving and curbing stone is intended, that your vessel is subject to a fine of $1,900. for difference of weight between manifest and B/L, which fine will be imposed by the Custom House, as soon as vessel is discharged.

The correct weight as given on B/L is 212850 kilos, while your manifest calls for 22850, carried out plainly in writing. Comparing the two documents it is evident that the mistake is caused by the 1 in 212 having been taken as the end of the first cypher 2; also taking into consideration that the stone pays no duty and that it comes to the city corporation who cannot well be supposed to have any intention of committing a fraud, we think, if properly represented, you may obtain a release.

We call your attention to the fact that your freight is only $1615, and in order to clear you we require a bond for the difference between this amount, your port charges and the fine for which we are responsible to the Administration as consignees. Yours,

Truffin y Cia.

Rec'd to Alex. Porter
Embassy Apr. 20 '93

No. 1838.

U.S. Consulate General.
Havana, April 13, 1893.

DEPARTMENT OF STATE
APR 18 1893
RECEIVED.

Mr. Williams
to the
Department of State.

Case of Colas vs. Bull
at Santiago de Cuba.

No. 1838.

U.S. Consulate General.
Havana, April 13, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

With reference to the Department's instruction no. 763 of the 25th of last February, and in continuation of my despatch no. 1819 of the 14th ultimo, in relation to the case of Colas vs. Bull pending before the Audiencia of Santiago de Cuba, I have the honor to report to the Department, that our consul at that city, Mr. Twitchell, informs me under date of the 8th instant, that he had learned in a consultation with one of the attorneys in the

Havana,
April 13. 1893.

DEPARTMENT OF STATE
APR 18 1893
RECEIVED [in Indexing Bureau]

Form No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY

All **CABLE MESSAGES** received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (20,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: A5 Exchange Buildings.
GLASGOW: No. 29 Gordon Street.
BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
305	Ntf	Mt	50	Havana

RECEIVED at Washn D.C. 7 pm April 13

Assistant Secretary of State Washington D.C.

The admiral expects to leave Saturday fifteenth with Cruisers Reina Regente Infanta Isabel and gunboat Nueva Espana Sowing Canarels to Hampton Roads Should Contrary weather prevent him reaching there in time will continue to Newport to participate in Naval Review.

Williams Consul General

April 15 1893

ory N.

Ordered April 22

No. 1839.

DEPARTMENT OF STATE
APR 20 1893
RECEIVED.

U. S. Consulate General.
Havana, April 14, 1893.

Mr. Williams,
to the
Department of State.

Requisitions for one Ship's
Daily Journal.

No. 1839.

U.S. Consulate General.
Havana, April 14, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:-

I have respectfully to request that one Ship's Daily Journal for the use of this office, may be forwarded without delay.

I am, Sir,
Very respectfully,
Your obedient Servant,
Robert O. Williams
Consul General.

Mr. Strobel

Ans & Apr. 27 '93

No. 1840.

U.S. Consulate General.

Havana, April 15, 1893.

DEPARTMENT OF STATE
APR 20 1893
RECEIVED.

Mr. Williams

to the

Department of State.

Forwarding protest of Mr. Antonio Martinez y Solana against appraisement of import duties on 100 barrels of plaster.

2 Enclosures.

No. 1840.

U.S. Consulate General.
Havana, April 15, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In compliance with the Department's telegraphic instruction of June 28th last, I have presented to the Governor of the Western Region of this Island the protest of Mr. Antonio Martinez y Solana, of the firm of Messrs. Aranuel, Martinez & C of this city, against the appraisement of import duties made by the custom house of this port on one hundred barrels plaster of american manufacture received from New York

by

by steamer "Kong Grode";
said appraisement being
considered contrary to
paragraph 2, Schedule A,
of the reciprocity agreement
between the United States and
Spain. I enclose copy
2/ of protest and of communi-
2/ cation to Regional Governor.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams
Consul General.

2 Enclosures.
No. 2 Protest
" 1 - Mr. Williams to Regional Governor

Enclosure No. 1, 1840.
With Despatch No.
H A V A N A , April 15,1893.

Translation. U.S.Consulate General.

Havana, April 15,189 3.

To His Excellency the Governor of the Western Region and Province of Havana.

Excellency:

In compliance with the instructions of the Honorable Secretary of State of the United States and in accordance with article 19 of the treaty of the 27th October, 1795, between the United States and Spain which grants, by virtue of the most favored nation clause, to the consuls of the United States in the dominions of Spain the same privileges and faculties enjoyed by the consuls of Spain and of other nations in the States of the American Union, and pursuant to the indication of H.E. the Governor general of August 17,1892; I have the honor to present to the consideration of Y.E. the enclosed certified copy of the protest of Mr. Antonio Martinez y Solana, managing partner of Messrs. Aráluce Martinez & Co of this city, against the appraisement made by the custom house of this port on one hundred barrels plaster manufactured by Messrs. J.B. King & Co of New York, and received from said port by steamer "Kong Frode"; said appraisement being considered contrary to paragraph 2, schedule A, of the reciprocity agreement between the United States and Spain.

I am, Sir, etc. etc.

Signed: Ramon O. Williams,
Consul General.

Enclosure No. 1.
With Despatch No. 1842
H A V A N A , April 15,1893.

Copy.

Consulado General de los
Estados Unidos.
Habana,Abril 15 de 1893.

Excmo.Sr.Gobernador de la Region Occidental y de la Provincia de la Habana.

Excmo.Sr:

Cumpliendo con instrucciones del Honorable Secretario de Estado de los Estados Unidos,y de conformidad con el articulo 19 del tratado del 27 de Octubre de 1795 entre los Estados Unidos y España que concede,en virtud de la clausula de la nacion mas favorecida,a los consules de losEstados Unidos en los dominios de España iguales privilegios y facultades que los gozados por los consules de España y de otras naciones en los Estados de la Union Americana,y siguiendo para el caso la indicacion del Excmo.Sr.Gobernador General de fecha 17 de Agosto de 1892; tengo el honor de presentar a la consideracion y resolucion de V.E.,la adjunta copia certificada de la protesta de D.Antonio Martinez y Solana,gerente de la sociedad de Araluce Martinez y Ca de esta plaza,contra el aforo hecho por la aduana de este puerto sobre cien barriles de yeso recibidos de Nueva York por vapor "Kong Frode",procedentes de la fabrica de los Sres. J.B.King y Ca del mismo puerto; por considerar dicho aforo contrario a la tabla A,parrafo 2 del tratado de reciprocidad entre España y los Estados Unidos.

Dios guarde a V.E.muchos años.

Firmado: Ramon O.Williams, Consul General.

Enclosure No. 2.
With Despatch No 1840
HAVANA, April 15th, 1893.

Translation. No.41.

Mr.Antonio Martinez y Solana,managing partner of the firm of Araluce,Martinez & Co, of this city,in the name and representation of said firm,appears before Ramon O.Williams,Esq.Consul General of the United States of America ,and does hereby:

Protest against the appraisement made by the custom house of this port on one hundred barrels american plaster manufactured by Messrs.J.B.King & Co, of New York,received by steamer "Kong Frode" from D.W. Munson of New York,entered on February 13,last,at the Havana custom house; and which goods said custom house considers subject to the payment of import duties notwithstanding that schedule A,paragraph 2,of the reciprocity agreement between the United States and Spain refers to "all stones and earthy matters,including cement,em-"ployed in buildings,the arts and industries"; and as plaster is an earthy matter employed in buildings, it is evident that it comes under the said reciprocity agreement as an article free of duty.

The undersigned likewise protests against double duties or any other burden which may be imposed on plaster by the custom house of Havana,for having declared said article free of duty.

And that it may thus appear before the Government of the United States of America it is signed at Havana in the presence of the Consul General of said Nation on the 17th day of March,1893. (Signed)

(Signed) Antonio Martin y Solana.

Before me,

Signed: Ramon O.Williams,

Consul General .

Enclosure nº. 2- Despatch nº 1840

Copy. No. 41.

D.Antonio Martinez y Solana,gerente de la sociedad mercantil de esta plaza bajo la razon de Aralúce,Martínez y Ca,a nombre y representacion de de dicha sociedad comparece ante el sR.D.Ramon O.Williams,Consul General de los Estados Unidos de America,y en la mejor forma que proceda:

PROTESTA contra el aforo que se ha hecho por la aduana de este puerto,en la declaracion que han presentado en 13 de Febrero ppdo.correspondientes a cien barriles de Yeso produccion americana,que por su cuenta y consignacion fueron embarcados en Nueva York por el Sr.D.W.Munson en el vapor "Kong Frode"procedentes de la fabrica de los Sres.J.B.King y Ca de New York y que esta aduana considera sujetos al pago de derechos arancelarios,cuando en el articulo segundo,letra A del convenio de reciprocidad celebrado con esa nacion vigente desde el primero de Julio de 1892,es completamente libre pues dicho articulo segundo letra A del convenio de recipro - cidad celebrado con esa nacion vigente desde el primero de Julio de 1892,es completamente libre,pues dicho articulo 2 letra A citado dice: "todas las piedras y tierras incluso el cemento destinado a la construccion,artes e industrias,y como quiera que el yeso es una tierra solo aplicada a la construccion ,claro esta que se haya comprendido en el citado convenio de reciprocidad como articulo libre de todo derecho.

Protesta asimismo el infrascrito contra dobles derechos o cualquiera otro gravamen que la quiera imponer a este yeso la aduana de la Habana a causa de la declaracion presentada por nuestra fimra,por creerlo improcedente,puesto que es libre del todo dicha mercancia.

Y para que conste y esta protesta surta los efectos necesarios segun lo dispuesto por el Gobierno de los Estados Unidos de la America la presentamos a dicho Sr.Consul

Unidos la presentamos a dicho Sr.Consul en la Habana a 17 de Marzo de 1893.

Firmado: Antonio Martinez y Solana.

Ante mi,

Firmado: Ramon O.Williams,

Consul General.

Mr. Strobel

Ans. & apr. 26

No. 1841.

U.S. Consulate General.
Havana, April 15, 1893.

DEPARTMENT OF STATE
APR 20 1893
RECEIVED.

Mr. Williams
to the
Department of State.

Forwarding protest of
Mr. Henry B. Hamel against
appraisement of import
duties on Wire nails.

2 enclosures.

No. 1841.

U.S. Consulate General.
Havana, April 15, 1898.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

In compliance with the Department's telegraphic instruction of June 28th. last, I have presented to the Governor of the Western Region of this Island the protest of Mr. Henry B. Hamel of the firm of Messrs. Henry B. Hamel & Co of this city, against the appraisement of import duties made by the custom house of this port on several lots of Wire Nails received by different steamers from New York; said appraisement being

being considered contrary to paragraph 13, schedule A. of the reciprocity agreement between the United States and Spain. I enclose
2/ copy of protest and of com-
1/ munication to Regional Governor.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

2 Enclosures.
No. 2- Protest
" 1- Mr. Williams to Regional Governor

Enclosure No. 1.

With Despatch No. 1841.

Havana, April 15, 1893.

Translation.

U.S.Consulate General.

Havana, April 15, 1893.

To H.E. the Governor of the Western Region and Province of Havana.

Excellency:

In compliance with the instructions of the Honorable Secretary of State of the United States and in accordance with article 19 of the treaty of 1795, between the United States and Spain which grants, by virtue of the most favored nation clause, to the consuls of the United States in the dominions of Spain the same privileges and faculties enjoyed by the consuls of Spain and of other nations in the States of the American Union, and pursuant to the indication of H.E. the Governor General of August 17, 1892; I have the honor to present to the consideration and resolution of Y.E. the enclosed certified copy of the protest of Mr. Henry B. Hamel of the firm of Henry B. Hamel x Co of this city, against the appraisement made by the custom house of this port on certain lots of Wire nails received from New York by different steamers; said appraisement being considered contrary to paragraph 13, schedule A of the reciprocity agreement between the United Staes and Spain.

I am, etc. etc.

Signed: Damon O. Williams,

Consul General.

Enclosure No. 2. 1841.
With Despatch No.
H A V A N A , April 15,1893.

Translation. No.42.

Mr .HENRY B.HAMEL of the firm of Messrs.henry B.Hamel & Co,in the name and representation of said firm,appears before Ramon O.Williams,Consul General of the United States at Havana and does hereby protest:

Against the appraisement of import duties made by the custom house of this port on several lots of wire nails,received from New York by different steamers; said custom house appraising them under paragraph 51,schedule C,notwithstanding that as said wire nails are not fine manufacture,they are comprised in paragraph 13,schedule A,of the reciprocity agreement between the United States and Spain.

He likewise protests against any double duties or any other charges which this custom house may impose on the said article because having declared them free of duty.

He further protests against making any deposit of duties and fines on goods that are in the free list of the treaty, wanting as they do to apply the text of paragraph 9 of article 80 of the custom house regulations,which he understands is only applicable when there is a difference of appreciation or declaration of the goods,but never in the case as the present one whether the goods are free or not.

And for further evidence and that this protest may have the necessary effects according to the requisites specified in the telegram dated at Washington on the 28th June last, addressed by Mr.Wharton,Assistant Secretary of State to Mr. Williams,Consul General of the United States at this port, he signs thos protests on the fourteenth day of April,1893.

Signed: Henry B.Hamel

Before me,

Signed: Ramon O.Williams, Consul General.

Enclosure nº 2 - Despatch nº 1841.

Copy. No.42.

Mr.HENRY B.HAMEL, de la sociedad mercantil de los Sres. Henry B.Hamel y Cade esta plaza, comparece a nombre y representacion de dicha casa ante el Sr.D.Ramon O.Williams, Consul general de los Estados Unidos de America en esta ciudad y en la mejor forma que proceda:

PROTESTA contra el aforohecho por la aduana de este puertossobre varios lotes de clavos de alambre de manufactura americana recibidos de New York por distintos vapores; pues dicha aduana los afora por la partida 51, tabla C, apesar de que dichos clavos de alambre no son manufactura fina y por lo tanto se hallan comprendidos bajo la partida 13, tabla A, del convenio de reciprocidad vigente entre España y los Estados Unidos.

Protesta tambien contra cualquiera derechos dobles o cualquier otro gravamen que la aduana pretenda imponerle por haber declarado dicho articulo libre de derechos.

Ademas protesta contra cualquier deposito de derechos o multas que se le imponga sobre este articulo que se halla en la lista libre del tratado, sabiendo que se pretende aplicarle el texto del parrafo 9 del articulo 80 de las Ordenanzas de Aduanas, que entiende solo es aplicable cuando exista diferencia de apreciacion o declaracion de los efectos, pero nunca en un caso como el presente si los efectos son libres o no segun el tratado.

Y para que conste y esta protesta surta los efectos necesarios de acuerdo con el telegrama fechado en Washington el 28 de Junio, 1892, dirigido por Mr.Wharton, Sub-Secretario de Estado a Mr.Williams, Consul general de los Estados Unidos en este ciudad, firma la presente a 14 de Abril de 1893.

Firmado: Henry B.Hamel

Ante mi

Firamdo: Ramon O.Williams, Consul General.

No. 1842.

U.S. Consulate General.
Havana, April 17, 1893.

DEPARTMENT OF STATE
APR 21 1893
RECEIVED

Ackd copy to R.A. Sagua
Release Louis Edmunds aboard
Apr. 24

Mr. Williams
to the
Department of State

See Sagua No. 88

The Franklin Sugar Refining Co. of Philadelphia in complaint against Mr Anthony Pelletier, U.S. Vice Commercial Agent at Sagua la Grande.

1 Enclosure.

No. 1842.

U.S. Consulate General.
Havana, April 17, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I beg to enclose for the information of the Department and for such action as it may deem best in the matter, the copy of a letter dated at Philadelphia the 24th. ultimo, and received here only on the 15th. instant from Mr. G. Heide Morris, Attorney of the Franklin Sugar Refining Company of that city, complaining that the master of the steamship "Cresswell" was induced by Anthony Pelletier, U.S. Vice Commercial Agent at

at Sagua la Grande, to falsely sign bills of lading on a cargo of sugar consigned to the said Franklin Sugar Refining Company, two days in advance of the completion of the loading of the said cargo, with the request that the affair be investigated.

In view of the grave damages liable to befall National and Foreign interests from such irregularity on the part of a consular officer of the United States, I pray that the Department may order at once an investigation of this affair.

I am, Sir, very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

1 Enclosure:
No. 1 - Mr. Heidelmann's to Mr. Williams.

Enclosure No. 1. 1842.
With Despatch No.
H A V A N A , April 17, 1893.

Copy.

Philadelphia, March 24, 1893.

Ramon O. Williams, Esq.

Consul General of the United States of America,

Havana, Cuba.

Dear Sir:

Our clients, the Franklin Sugar Refining Co. of this city, inform us that they are advised by one Larkin, the captain of the S.S. "Cresswell" sailing from Lower Sagua la Grande on February 23, 1893, that he was induced, on February 20, 1893, by Mora X Co. of Sagua and at the urgent solicitation of Anthony Pelletier, Vice Consular Agent at that place, to falsely sign the bills of lading on cargo of sugar consigned to the said Franklin S.R.Co., two days in advance of the completion - of loading which was February 22, 1893.

As such proceeding, if true, is contrary to the law and good morals and is in prejudice of our client's rights, we would, on their behalf, wish the matter investigated in order that the proper parties may be punished, and to prevent a repetition of such action in the future.

Very truly yours,

Signed: G. Heide Norris.

do. Henry R. Edmunds.

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No. 1843.

U. S. Consulate General.
Havana, April 17. 1893.

Mr Williams
to the
Department of State.

Requesting that the words at the customhouse be inserted in the translation of communication to the Governor General with despatch number 1837.

No. 1843.

U. S. Consulate General.
Havana, April 17, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have to respectfully ask that on page 4, 24th line of the translation of my communication to the Governor General dated the 5th instant, with despatch number 1837, the words at the custom house be inserted so that the entire line may read: — forty two mistakes of Spanish vessels have been collected at the customhouse - - - - .

(Page seven No. 1837)

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams
Consul General.

No. 1844.

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U.S. Consulate General.
Havana, April 18, 1893.

Ask for copy to Mr. Hidden, Apr. 27 '93

Mr. Williams
to the
Department of State.

Acknowledging receipt of the Department's instruction No. 770 and reporting on the complaint of Mr. James C. Hadden, of New York.

1 Enclosure.

No. 1844.

U.S. Consulate General.
Havana, April 18, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge receipt of your instruction no. 770 of the 7th instant relating to the complaint of Mr. James C. Hadden, of New York, and to reply as follows:

A long letter was received from this gentleman dated the 16th February regarding an alleged shipment made about the 5th of October, 1892, "either" by the steamship "Tantallon" or the steamship "New York" of the Ward line. It is to be noticed in the first place that

1/

that he did not know by which of the two steamers he had made the shipment; and in the second place, there is no steamer named the 'New York' running in the Ward line. Also, third, he enclosed no bill of lading showing that he was the shipper. Fourth, this fact naturally led to the conjecture that the bill of lading must have been made in the name of Messrs. L. A. Sussdorf & C, of New York, who thereby will have become the holders of the property to the exclusion of Mr. Hadden. And, fifth, if the bill of lading is not in Mr. Hadden's name, of which he gives no proof to the contrary, he is not legally authorized to instruct any person to take charge of the goods without the consent previously obtained

of

of the holder or holders of
that document. Likewise,
if as he says the custom
house entry was made at
Havana by Messrs. L. A.
Sussdorf & C, I take it he
means it was made by their
agents, because Messrs.
L. A. Sussdorf & C reside in
New York and not in
Havana. Also, if the said
entry was made for the
entrance of the goods into
consumption and not
for deposit in bond; then,
the duties had to be
paid without recourse. He
also made offers of official
and private compensation
for this offiel to attend
his affair, perhaps not
knowing that the Con-
sulates General of the United
States are not allowed to
carry on commercial
business.

business. But, notwithstanding he showed no proof of ownership nor gave any clue from which the name of the consignee in Havana of the goods could be ascertained, still on two different occasions at moments when a clerk could be spared from the public duties of this office, I sent to the office of the agents of the Ward line here to inquire about the matter, but the clerk, Mr. Charles Todd, in charge of the manifests, there, was sick at his house, having been suffering from malaria for some time past, and the clerk, temporarily in charge, was too busy on each occasion to search into the matter. Also, from the omission

of

of Mr. Hadden to enclose a bill of lading of the shipment either in his letter to this office or with his complaint to the Department, it would seem reasonable to infer that he is not possessed of this document. In his said letter of the 16th of February, 1895, copy of which is enclosed for the information of the Department, he refers to an item of $8.50 alleged by Messrs. Sussdorf & Co as having been paid for filing a protest. This office knows nothing of this fee, as every protest, made before it under the reciprocity agreement has been received, and translation even maide, when needed, without the exaction or receipt

of

of any fee whatever on the part of this Consulate General.

In conclusion, I beg to report that from the above exposition, and from the circumstances of this case, so far as they can be discerned from Mr. Hadden's statement, it would seem that he should bring claim against the parties in New York; for if the bill of lading is held by Messrs. L.A. Swasdorf & Co or their assignees, this will signify the transfer of the goods to them; and consequent cessation of Mr. Hadden's right to the goods, but reciprocally he becomes invested with the right to proceed for their value against the buyers. He, himself, takes this same view of the case when

when he acknowledges in
his letter that he can collect
their amount by lawsuit
in New York. Also, the
allegations of Messrs. L. A.
Sussdorf & C, of the goods not
having turned out at Havana
according to terms of purchase
in New York, should be
supported by certificate of
survey and affidavits of the
surveyors, as usual in such
cases, and held in similar
manner to the provisions
of paragraph 422 of the Consular
Regulations with respect to
vessels. And finally, that the
dispute appears to be of a
judicial and not of a consular character.

I am, Sir, Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

1 Enclosure.
No 1 - Mr. Hadden to Mr. Williams, Feby. 16/93.

Enclosure No. 1.
With Despatch No. 1844.
H A V A N A , April 18,1893.

Omit

Copy.

New York, February 16, 1893.

Ramon O. Williams, Esq.

Havana.

Dear Sir:

I have been referred to you by the spanish consul here in New York, in relation to a shipment of 50 cases of turpentine I made for L.A. Sussdorf & Co of this city, October 5, 1892, by the Ward & Co line of steamers, either the "Tantallon" or "New York", marked ◇129◇ S. Havana No. 1 to 50

Sussdorf & Co inform me that 5 or 6 of above cases got destroyed on the voyage and when the vessel arrived, the custom house officers said that the goods were not turpentine and refused to pass them as turpentine, which is "duty free" and Sussdorf & Co thereupon refused to do anything in the matter. Although I have offered to take back the goods and pay freight both ways.

I understand from Sussdorf & Co that some spanish chemist examined the goods and said the goods were not turpentine but a compound of "several different articles". I wish to state that this turpentine is what is known as "Wood turpentine" which is taken from the pine tree, the same source as the other turpentine, as follows, the good of the pine tree is reduced to a pulp and then distilled in the same manner as the gum of the pine tree, and although this turpentine has a different smell from the turpentine distilled from the gum, it has all the same qualities. Sussdorf & Co knew this because they bought

the goods from me at about ten cents per gallon less than the gum turpentine.. Sussdorf says that they made an entry and therefore cannot have the goods returned.

However my object in writing to you as the american consul is to see if you can help me as a citizen of the U.S. to get these goods back without commencing a law-suit against Sussdorf & Co. I have offered to refund the freight to Havana and also pay freight back to New York which is $9, each way, but Sussdorf & Co claim 8.60 for filing a protest under the reciprocity agreement, which I think I have nothing to do with and which they can get back themselves.

If you will kindly help me either to get these goods back or to get some one in Havana to buy them at a liberal dis-count in order that I can close up this matter I am willing to compensate you officially or privately for your trouble in the matter.

Enclosed is a copy of my bill against Sussdorf & Co for the goods; will you kindly let me know how near to this amount you can get for them in Havana in case you can dispose of them.

I hereby guarantee that this turpentine is as good in every respect for painting purposes as any other turpentine, practically irrespective of smell or appearance.

Enclosed find postage stamps, hoping you will favor me with an early reply,

Yours truly,

Signed: J.C.Hadden .

Recd Apr. 26 93

No 1845.

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U. S. Consulate General,
Havana, April 18th 1893.

Mr. Williams
to the
Department of State.

Acknowledgement of receipt of circulars of the Department.

No 1845.

U.S. Consulate General.
Havana, April 18th 1893.

Hon: Josiah Quincy
Assistant Secretary of State,
Washington
D.C.

Sir:

I have the honor to acknowledge receipt of the Department's circular dated the 1st instant, referring to the execution of the quarantine laws and regulations.

Also, circular dated the 3rd instant, enclosing a copy of the immigration laws and regulations issued by the Treasury Department, under date of March 11th 1893.

With particular reference to Section 2. of the Act of February 15th 1893, wherein it states that

said consular or medical officer granting the required bill of health
" — for his services in that behalf
" shall be entitled to demand
" and receive such fees as shall
" by lawful regulations be allowed,
" to be accounted for as is required
" in other cases ", — —

I have respectfully to ask the Department, what fees are to be charged for said services by this office, and to what account they shall be credited.

I will state in addition to the foregoing, that this office has incurred an expense of about fifty dollars for the printing of blanks of bills of health for the Consulate general, and the consular offices at Matanzas, Cienfuegos, S. de Cuba, Cardenas, Baracoa, Sagua and Remedios, which amount will appear in my accounts for current quarter —

Very respectfully,
Your Obdient servant,
Ramon O. Williams,
Consul General —

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Sent

Ask & rcvd (112)
May 2 '93
Report written for
ASR. 26

No. 1846.

U. S. Consulate General.
Havana, April 20, 1893.

Mr. Williams
to the
Department of State.

Asking for several publications.

No. 1846.

U. S. Consulate General.
Havana, April 20, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I beg to ask that you be pleased to order to be sent to me for delivery to Mr. Manuel Villaverde, a writer on Cuban finances, to whom this office is at times indebted for favors, the following publications:

(1) Report of the Director of the Mint upon the production of the precious metals in the United States during the calendar year 1892.

(2) Annual Report of the Secretary of the Treasury on the State of the Finances for the year 1892.

(3) Also reports of the Secretary and of the Heads of Bureaus and other officers.

I am, Sir,

Very respectfully,

Your obedient servant,

Ramon O. Williams,

Comptroller General.

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ans'd May 1 '93

No. 1847.

U.S. Consulate General.
Havana, April 21, 1893.

Mr. Williams
to the
Department of State.

Submitting to the consideration of the Department a letter addressed to this office by Mr. J. Seidel, agent in this city of the Collins Manufacturing Company of New York.

1 Enclosure.

No. 1847.

U.S. Consulate General.

Havana, April 21, 1879.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I beg to submit to the consideration of the Department the enclosed letter addressed to this office on the 18th instant by Mr. J. Seidel, agent in this city of the Collins Manufacturing Company of New York, calling its attention to the fact that by an order of the Captain General published under date of the 13th of January, 1879, Collins' machetes intended for sugar plantation use were to be admitted as cane knives, instead of as

as side arms, by all the
Custom houses of the Island,
limiting the classification
of side arms to such machetes
only as measured 28 inches
in the blade. But, that
notwithstanding, the customs
officials in this Island have
resumed the imposition
of duties on machetes used
for the cutting of the sugar
cane, classifying them as
side arms, despite of paragraph
25 of Schedule A of the
definitive reciprocity arrange-
ment between the United
States and Spain, as well
as in despite of the aforesaid
order of the Captain General
of this Island.

I am, Sir, very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

Enclosure No. 1 - Mr. Seidel to Mr. Williams

Enclosure No. 1.

With Despatch No. 1847.

H A V A N A , April 21, 1893.

Copy. Havana, April 18, 1893.

Ramon O. Williams, Esq.

Consul General of the United States of America,

Present.

Dear Sir:

I beg to call your attention towards the enclosed copy of an order of the Captain General of this Island dated on the 13th January, 1879, declaring that Collins machetes were to be admitted at all the custom houses of this Island; considering as side arms, the machetes usually known as "de media cinta" - of more than 28 inches in the blade - and declaring that all other machetes were of free use - de uso permitido - as they were destined to agricultural purposes. According to this declaration of the superior authority in this Island, it is acknowledged that all Collins machetes, with the only exception of those named "de media cinta", are tools for agricultural purposes and consequently must be admitted free of duty under schedule A, paragraph 2, of the reciprocity treaty. Notwithstanding this official and superior declaration, our custom house authorities have been from the 1st July, 1892, until present, charging duties to machetes nos. 22, 278, 37, 23, 323, 1 and 152, that are for agricultural purposes according to the Government declaration, and also to the certificate of the Chamber of Commerce, previously sent to you.

Please take note that such duties charged on

Collins machetes of numbers mentioned are not only an infraction of the treaty, but also an infraction of orders now in vigor, from the Superior authority of this Island.

I remain, dear Sir, yours respectfully,

Signed: J.Seidel.

Copy.

Pag.97 del Arancel antiguo de 1885.

Decreto del Gobierno General de 13 de Enero de 1879, declarando que solo los machetes cortos ó de labor son los de uso permitido, y que los largos llamados de media cinta, las espadas y demas armas blancas se sujetaran á las prescripciones del anterior Reglamento.

Gobierno General de la Isla de Cuba - Secretaria-Negociado de Orden Publico y Policia. El Excmo.Sr.Capitan general en oficio de 9 del actual dice al Excmo.Sr.Gobernador General lo que sigue. Excmo.Sr: Habiendo cesado las circunstancias que obligaron á dictar la orden de 18 de Marzo de 1875, prohibiendo la importacion en esta Isla de los machetes Collins, queda levantada esa exclusion, pudiendo tanto de esa fabrica como de las demas del extrangero admitirse por las aduanas de los puertos habilitados, debiendo entenderse los de uso permitido, que son los cortos ó de labor para uso de la agricultura; pero para los largos llamados de media cinta, igualmente que las espadas y demas armas blancas para uso del ejército é institutos, deberán sujetarse á lo prescrito en el Reglamento vigente y reglas 1 y 2 dé las dictadas para su cumplimiento en 24 de Setiembre del año anterior y publicadas en la Gaceta el 27 del mismo. Lo que tengo el honor de transcribir á V.E. para su conocimiento y por si se sirve ordenar su publicacion en la Gaceta Oficial, asi como á las autoridades de su directa dependencia, debiendo significar á V.E. que con esta fecha lo circulo a los Comandantes Generales de las provincias. Y dispuesto por S.E. que se cumpla lo acordado se publica en la Gaceta Oficial para general conocimiento. Habana, Enero 13 de 1879. E.Galbis. Es copia. Habana 19 de Abril de 1899.

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No. 1848.

U. S. Consulate General.
Havana, April 22, 1893.

Mr. Williams
to the
Department of State.

Acknowledged May 2 '93

Economic condition of Cuba.

one enclosure.

No. 1848.

U. S. Consulate General
Havana, April 22. 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington
D. C.

Sir:

As an indication of the
state of the Treasury of this
Island, I enclose a translation
of a paragraph taken from
El Pais of this date, showing
that the payment of pensioners
of the retired list, and the
salaries of government officials
in active service, and contractors
furnishing supplies, will be
commenced on the 24th of this
month, respectively, for the months
of January and February of the
present year.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

Enclosure.
1. Slip and translation as stated.

Enclosure No.1.

With Despatch No.1848.
H A V A N A , April 22,1893.

Translated by Consul General Williams.

From EL PAIS of Havana, April 22,1893.

PAYMENTS BY THE TREASURY.

Mr.Fontanals , chief of the central section of the general Government of the Island, informs us that on the 24th of this month payments will be commenced to the pension classes for the month of January, and to those in active service, and for supplies, to February last.

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Ans'd May 2 93

No. 1849.

U.S. Consulate General
Havana, April 22, 1893.

Mr. Williams
to the
Department of State.

Economic condition of Cuba.

Transmitting an editorial published by El Diario de la Marina, commenting the news attributing to the President the intention of abrogating the reciprocity treaties with Brazil and with Spain for Cuba and Porto Rico.

1 Enclosure.

No. 1849.

U.S. Consulate General.
Havana, April 22, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to enclose for the information of the Department, the translation of an editorial published yesterday by El Diario de la Marina, commenting the telegraphic news, received the day before, attributing to the President the intention of abrogating the reciprocity treaties with Brazil, and with Spain for its two West Indian sugar islands; because of the failure of the customs authorities

of

of these countries to comply with the said treaties.

As there is scarcely any natural or logical economic relationship now connecting Cuba with any other country but the United States, as a matter of course, this news interests the attention of its sugar planters, manufacturers and merchants. Indeed, the situation of the Island with regard to the welfare of its inhabitants cannot be considered so normal as that of the Sandwich islands. For while the people of Cuba are equally as dependent on the sugar market of the United States as the inhabitants of those islands, still the latter are not hampered in their commercial intercourse

intercourse with the United States by the obstructive interference of a reluctant and distant mother-country. Therefore, if the President, as in 1886, should again deem it proper, as indicated in this telegram, to revoke the reciprocity treaty for Cuba, and should choose to leave its renewal in abeyance for a sufficient time, without doubt, a very strong expression of public opinion would in the meantime be thereby evoked from the people of the Island.

The relations of this Island with the mother country might be severed to-morrow with only beneficial results to its material interests; but were its relations so interrupted with the United

United States, as not to
permit its sugars to enter
into that market but
upon terms of inequality
with the cane sugars of
San Domingo, the British
sugar islands and Guayana,
and the beet sugar of
Austria-Hungary, France
and Germany, nothing
but commercial bankruptcy
and social distress could
follow. Hence the
interest of the Spanish
Government in maintaining
the treaty with the United
States; and the certainty
of it accepting, ultimately,
the terms of the President.

I am, Sir, very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

1 Enclosure.
No. 1 - Slip and translation as stated.

Enclosure No. 1

With Despatch No. 1849.

H A V A N A , April 22,1893.

Translated by Consul General Williams.

From EL DIARIO DE LA MARINA of Havana,

April 21,1893.

THE COMMERCIAL TREATY.

A telegram from New York which we published yesterday, informs us that the President of the United States proposes to abrogate the reciprocity treaty with Brazil, as also the one existing between those States and Spain for the islands of Cuba and Porto Rico, in view of the constant complaints showing that the customs authorities, as well of Brazil, as of the said Islands, are collecting duties on articles from the United States, which, according to the agreements, should enter these countries free of duties.

Although the above news is not of an official character, and might even be put in doubt, because coming preceded with an "it is said", still we think we ought to take notice of it.

Above all, we must observe that the news has even reached Madrid, by cable, as was communicated to us yesterday in a despatch, published in our edition of last evening, saying that the President of the United States is about to abrogate the commercial treaty with our country for its two West Indian sugar islands; and although the cause of the attitude said to be assumed by Mr. Cleveland is not indicated, still the news agrees substantially with that which was communicated to us by telegraph

from New York. Let us admit, therefore, of the possibility of the commercial treaty with the United States being about to cease in its effects; but let us examine, though lightly, into the determinating cause of this act.

Every one knows that Mr. Cleveland, as chief of the democratic party of his nation, has not been and is not much in favor of the negotiation of commercial treaties. Indeed, the triumph of his candidacy for the presidency of the republic cannot signify anything else than the substitution of the system of protection, as represented by the Mac Kinley bill, by a system of tariff reform.

In his last message addressed to Congress, during his former term of the presidency, he expressed himself in these terms:

"Except in those cases in which by reason of
"the contiguity of territories and the existence of
"a common frontier line impossible of patrol, making
"reciprocity treaties thereby convenient; it is
"better to adopt measures for the increase of commerce
"through independent but cooperative legislation.
"In this manner we will always hold within our
"power the control of our sources of revenue,
"without being hampered by restrictions arising
"from our engagements with other countries".

The platform of the democratic party at the last presidential election was inspired in the same spirit, for in that document, which served alike as a party creed and a battle cry, the opposition of the democracy to the policy of protection and to Mac Kinley reciprocity, was emphasized in terms and phrases of hostility. We believe, therefore,

that the desire for the abrogation of the existing commercial treaties between the United States and Brazil, and the islands of Cuba and Porto Rico, must be found in Mr.Cleveland's commercial doctrine. Our attention, however, is aroused by the fact that the telegram from New York only speaks of the agreements with Brazil and the two spanish West Indian islands, without mention of the reciprocity treaties that the United States have, also, with Austria-Hungary, Germany, Guatemala, Honduras, Nicaragua, Salvador, the British West Indies, the Republic of San Domingo and the British Guayana. This compels us to take note of that part of the telegram which attributes to Mr.Cleveland the purpose of abrogating the treaty with Cuba.

At the commencement, on putting the treaty into force, mistakes arose from erroneous interpretations of its text; but it is none the less true that owing to the remonstrances of the Washington government, a Repertory was concluded which explained away, with strict preciseness, every doubt that could thereafter arise from its interpretation and application, specifying, as becoming every document of this nature, the articles from the United States that were entitled to be admitted free of duties, as well as those that were subject to them on their importation into Cuba and Porto Rico. And if we do not remember wrongly, the american government declared that ours had proceeded, both in the compilation of the Repertory, as well as before in the application of the clauses of the agreement, with entire good faith; to which we can add that we have no information of any mistakes having

since been incurred on the part of our customs authorities, as expressed in the telegram form New York.

On the other hand, the reasons attributed to Mr. Cleveland for entertaining the purpose of revoking the agreement with the spanish sugar Islands are not considered by us to be well founded; for if so, the exports of the United States to Cuba would not have increased in one sole year to the amount of $7.764..515, as they have done; having risen from $11.920.214 in 1891 to $19.684.729 in 1892; nor would they have increased with Porto Rico in the same time to $458.924, which in 1891 amounted to $2.217.672. And we may observe, by the way, that those increases exceed, proportionately, those gained by american commerce with Brazil, as proved by the fact that the exports of the great republic to that country, only increased $1.500.000 during the seventeen months that terminated on the 31st of August, 1892, compared with the equal period that ended on the 31st of March, 1891.

We await the arrival of further information to clear up the meaning of the telegraphic despatch referred to, for we insist in believing that the reasons given cannot be the real motives determining the enunciated purpose of the President of the United States.

On this occasion we have not to enlarge the importance of the affair nor enter into generalities, so well known, regarding the principal reason that actuated our government to enter into this reciprocity agreement with the United States, which was none other than the necessity of holding on to the american market for our

sugar and molasses, being constrained, thereto, above all, like the other sugar producing countries, by the Aldrich amendment to the Mac Kinley bill; and not at all by the purpose of enlarging the commerce of this Island, which can only be attained by a wise reformation of our economic system.

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DEPARTMENT OF STATE,
APR 27 1893
RECEIVED.

No. 1850.

U. S. Consulate General.
Havana, April 22, 1893.

Mr. Williams,
to the
Department of State.

Ans'd May 2

Economic condition of Cuba.

One inclosure.

No. 1850.

U. S. Consulate General.
Havana, April 22. 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have an expression of opinion of the public press of this city on the grave effects that would befall the business of this Island, should the President revoke the reciprocity treaty. I beg to enclose the translation of an article taken from La Discusion of this afternoon.

I am, Sir, Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

Enclosure. Translation as stated.

Enclosure No. 1.

With Despatch No. 1854

H A V A N A , April 22,1893.

Translated by Consul General Williams.

From LA DISCUSION of Havana, April 22,1893.

THE RECIPROCITY AGREEMENT.

GREAT ALARM.

The news that the President of the United States proposes to abrogate the reciprocity agreement with the Spanish West Indies, has caused alarm here. It would not surprise us if it brought on a real panic.

The President can revoke the agreement by proclamation; and once derogated, cuban sugars would pay the import duties established in the Mac Kinley bill and not those collected before.

We would pass, at one blow, from a satisfactory order of things to one unendurable to the planters. The doors of the american sugar market would be instantly closed to the sugars of this colony.

That is if the President now revokes the agreement.

If what is proposed is but a part of a general tariff reform,- with the abolition of all the reciprocity treaties - and this is what the democratic party promised — things then change somewhat in aspect.

For, the high duties of the Mac Kinley act will not be collected, but others more moderate; for it is clear, if the democratic party enacts a tariff reform in the sense of free trade, it will not exclude sugar, which is an article of prime necessity.

But even if those duties were moderate, would they

be as much so as the present ones? Who knows. ¡Quien sabe! Mr.Cleveland does not favor a protective tariff. He wishes one for revenue only. He will try to get out of sugar, as from other imports, as much money as possible. Our neighbors cannot disregard the collection of revenues, for they have increased their expenses very much of late years.

When Mr.Cleveland was elected, we said that the triumph of Mr.Harrison would have been better for Cuba, since it guaranteed us, at least, four years more of commercial reciprocity. And in the present economic state of this Island, not yet recovered from its crisis, and every one working here having to encounter and struggle against governmental blunders, those four years more of reciprocity would have helped things.

The agreement now ruling, with all its defects, besides opening the market of the United States for the sale of our sugars, prevents Spain from increasing the import duties on american supplies.

To what extent would not the Madrid government reach, once freed of the bridle imposed on it by the reciprocity agreement with the United States.

How could it resist the temptation to obtain through customs the revenues it so much needs? The protectionists of the Mother Country would never let such opportunity slip from them, but would quickly return to their old tricks?

Cuba is threatened with another period of uncertainty and anguish.

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DEPARTMENT OF STATE
APR 27 1893
RECEIVED.

No. 1851

U. S. Consulate General
Havana, April 22, 1893.

Mr. Williams,
to the
Department of State

Asst. & May 2

Receipt of circular.

No. 1851.

U. S. Consulate General.
Havana, April 22, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's circular dated the 6th instant the instructions of which will be duly carried out.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

DEPARTMENT OF STATE,
APR 27 1893
RECEIVED.

No. 1852.

U. S. Consulate General.
Havana, April 22, 1893.

Mr. Williams,
to the
Department of State.

Acknowledge May 2

General acknowledgement of instructions from numbers 469 to 475, inclusive

No. 1852

U. S. Consulate General
Havana, April 22, 1893.

Honorable Josiah Quincy
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge receipt of the Department's instructions numbers 769 to 775, inclusive, of which, number 770, has already been reported upon separately.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

DEPARTMENT OF STATE
APR 27 1893
RECEIVED

Mr. Strobel

Mr. Strobe directs that Consul's action be approved & that a copy of this report to Secretary of the Treasury - Minister writes Secy Treasury suggests not to be sent to Chinese Legation unless Secy requests Done May 1 '93

No 1853.

U.S. Consulate General
Havana, April 22 1893

Mr. Williams
to the
Department of State.

In relation to the admission of Chinese persons into the United States from Havana, and the passports or certificate issued as such, by the Chinese Consul General -

---

No: 1853.

U.S. Consulate General
Habana, April 22 1893.

Hon: Josiah Quincy,
Assistant Secretary of State,
Washington.
D.C.

Sir:

I have the honor to say in reply to the Department's instruction, number 764 of the 24th of February last, enclosing a letter from the Secretary of the Treasury, in relation to the admission of chinese persons into the United States, that I have taken and continue to take every possible measure to satisfy myself of the truth of the statements contained in the certificates of the Consul

General of the Chinese Empire before indorsing them, and in no case is a certificate indorsed without the personal appearance and examination at this office of the person to whom it has been issued. As the result of several conferences held of late with the representatives of the Chinese Consul General, the passport or certificate now issued by him is more specific in description, and more in accordance with the requirements of the circular of the Treasury Department of June 12th 1891.

X With respect to the allegations contained in the report to the Secretary of the Treasury of Mr. F. N. Wicker, Chinese Inspector, and the request that this office report thereon, — I have to say that I have no knowledge of the alleged

facts,

but would respectfully suggest that they be brought by the Department to the attention of the Chinese Consul General through the Chinese Minister at Washington.

Very respectfully
Your obedient servant,
Ramon O. Williams,
Consul General.

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No. 1854.

U. S. Consulate General.
Havana, April 25, 1893.

Mr. Williams,
to the
Department of State.

Dse

Acknowledging receipt of the Department's circular dated the 14th instant, enclosing blank forms of Consular Sanitary Reports.

No. 1854.

U. S. Consulate General.
Havana, April 25, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's circular dated the 14th instant enclosing a few blank forms of the

Consular Sanitary Reports of contagious diseases, with envelopes for their weekly transmission, addressed to the Honorable Secretary of the Treasury.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

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file

No. 1855.

U. S. Consulate General.
Havana, April 25, 1893.

Mr. Williams,
to the
Department of State.

Economic condition of Cuba.

one enclosure.

No. 1855

U. S. Consulate General.
Havana, April 25, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I beg to accompany for the information of the Department a translation of a telegram dated yesterday at Madrid, and published the same evening in El Diario de la Marina of this city, relative to the report made at the meeting of the Spanish Cabinet the day previous by the Minister of the Colonies to his colleagues on the present unsatisfactory condition of the Cuban Treasury.

I am, Sir,

Very respectfully,
Your obedient Servant,
Ramon O. Williams
Consul General.

Enclosure.
1. Translation as Stated.

Enclosure No.1.

With Despatch No.1855.

H A V A N A ,April 25,1893.

Translated by Consul General Williams.

From EL DIARIO DE LA MARINA of Havana,April 24,1893.

TELEGRAM.

Madrid,April 24,1893.

At the meeting of the cabinet yesterday,the Minister of the Colonies informed the other members of the unsatisfactory situation of the Cuban Treasury,the ordinary resources being insufficient,and the Government without means to meet all demands.

Provision will be made in the next budget to cover promptly these demands,and to regulate the economic situation of the Island.

Meantime,the Minister of the Colonies will endeavor to increase the collection of the public revenues.

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Treasury will send.

No. 1856.

U. S. Consulate General.
Havana, April 25, 1893.

Mr. Williams,
to the
Department of State.

Requisition for blank forms of weekly Sanitary Reports with envelopes.

Asks 6 forms requested
as Treasury
May 8

No. 1856.

U. S. Consulate General.
Havana, April 25, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I beg you be pleased to order to be sent to me a number of blank forms of weekly Consular Sanitary Reports of contagious diseases, with envelopes addressed to the Honorable Secretary of the Treasury, for the use of this office and to avoid the expense of printing them here.

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams
Consul General.

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File.
E. M.

No. 1857.

U.S. Consulate General.
Havana, April 25, 1893.

Mr. Williams
to the
Department of State,
Washington D. C.

Economic condition of Cuba.
Transmitting editorial from
El Avisador Comercial of
this City.

---

1 Enclosure.

No. 1857.

U.S. Consulate General.
Havana, April 25, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I have the honor to accompany for the information of the Department, a translation of an editorial from El Avisador Comercial of this city commenting the news of the intention of the President to revoke the reciprocity agreement with Spain for Cuba and Porto Rico. This article is notable only for the revival of the old exploded proposition for Cuba to send her sugars to Europe, or as it were, the economic possibility of sending coals from

1/

from Lehigh, Pennsylvania to New Castle, England; Still the inner sense of the last paragraph of this editorial, would seem to indicate that the writer is aware of the importance of the sugar market of the United States to the stability of Spanish Power in America.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General

1 Enclosure:-
No. 1 - Slip and translation as stated.

Enclosure No. 1.
With DespatchNo. 1857.
H A V A N A ,April 25,1893.

Translated by Consul General Williams.

From EL AVISADOR COMERCIAL of Havana,April 22,1893.

THE TREATY WITH THE UNITED STATES.

The telegraphic news received yesterday,relating to the inclination of the President of the United States,to denounce the commercial treaty negotiated with that country for the Spanish West Indian sugar islands,has caused some stir in our commercial circles.

We took occasion to remark at the time the treaty was being concerted,that as soon as a change of government came about in the United States,the americans would annul the treaty,because of the probability,then, of the democratic party gaining the elctions,and because of it pursuing a policy and sustaining principles diametrically opposed to those of the republican party,to which the initiators of the treaty belonged.

We are not therefore surprised at the purpose animating the government of the United States,and neither do we regret it in the least,but to the contrary,we rather believe, and so argued to the point of satiety,that the abolishment of the treaty,instead of injuring us would favor us. Our custom house revenues would greatly increase thereby. We would not have to pay any higher for american provisions on that account,since the American Produce Trusts have not lowered their prices,as ought to have been done as a natural consequence of the treaty; and with respect to sugars and tobacco,the first have

more than sufficient markets, above all, under the present circumstances, and the second has secured no benefit at all from the reciprocity agreement.

Therefore, the tobacco as well as the sugar of Cuba should be sent to the markets of Europe, especially to those of Spain, and there will never be a better occasion than the present one for realizing this, which should be the beau ideal of our Spanish West Indian policy.

The sugar production of the world has diminished nearly five per cent this year and its consumption is calculated to have increased ten per cent, from which the real deficit may be estimated at fifteen per cent, nearly equal to the Cuban crop.

Cuban tobacco is alone in the markets of the world, its supremacy above others being therefore indubitable.

Does our Government not believe, under these conditions, the treaty with the United States once annulled, that the moment arrives for the shipment of our products to Spain and of the favoring of their sale by the Government?

We are not anxious about the treaty; but what we are anxious about is the indifference of our Government, in the face of an affair upon which depends the future of the Island and perhaps that of the Nation.

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Treasury
with register

No 1858.

U.S. Consulate General.
Havana, April 26 1893.

Mr. Williams
to the
Department of State.

Sale of wrecked schooner
"C.W. Lewis" to a Spanish subject
and,
one half cancelled register forwarded.

Dup to Treasury with 1/2 Register slips

No: 1858.

U. S. Consulate General
Havana, April 26 1893.

Hon: Josiah Quincy
Assistant Secretary of State,
Washington
D.C.

Sir;

With special reference to the Department's instruction number #74. concerning the wrecked american schooner "C.W. Lewis", lying in this port, I have now to inform the Department that the owners of said vessel, through their attorney here, have transfered it to Mr. Juan Santamarina, of this city, a Spanish subject, in satisfaction for the claims he had against it for salvage, &c.

I enclose herewith the duly cancelled one-half of the register of said vessel, for

transmission to the Treasury.

I am, Sir, very respectfully
Your obedient servant,
Ramon O. Williams,
Consul General.

All enclosure -
One leaf (cancelled register of Sch
"C.W. Lewis".

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No. 1859.

U.S. Consulate General.
Havana, April 26, 1893.

Mr. Williams
to the
Department of State

Transmitting copy of protest of Mr. Ricardo Vazquez, Administrator General of the "Spanish American Light and Power Company" of this city, against appraisement of import duties by the custom house of this port on crude petroleum received from New York.

2 Enclosures.

No. 1859.

U.S. Consulate General.
Havana, April 26, 1898.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In compliance with the Department's telegraphic instruction of June 28th last, I have presented to the Governor of the Western Region of this Island the protest of Mr. Ricardo Vargáces, Administrator General of the "Spanish American Light and Power Company" of this city, against the appraisement of import duties made by the custom house of this port on crude petroleum received from New York by sundry vessels, said

said appraisement being considered contrary to paragraph 7, schedule A of the reciprocity agreement between the United States and Spain. I enclose
1/ copy of protest and of
2/ communication to Regional Governor.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams.
Consul General.

2 Enclosures:
No. 1 - Protest.
" 2 - Mr. Williams to Regional Governor.

/

Before
Ramon
Cons

Enclosure No. 1.

With Despatch No. 1859.
H A V A N A , April 26, 1893.

Copy. No.43.

RICARDO NARGANES, Administrator General of the "Spanish American Light and Power Company" appears before the Consul general of the United States at this port, and does hereby:

PROTEST against the appraisement made by the custom house of this port on crude petroleum received from New York in the iron tanks of the following vessels: Amer.bark "Matanzas" arrived in this port on the 22 nd day of July, 1892, amer.bark "Carrie E.Long" arrived in this port on the 9th day of August, 1892, amer.bark "Matanzas" arrived in this port on the 6th day of October, 1892, amer.bark "Carrie E.Long" arrived on the 13th day of October, 1892, amer.bark "Matanzas" arrived on the 2nd. day of December, 1892, amer.bark "Carrie E.Long" arrived the 30th day of december, 1892, -(the official entries and declarations of which were made in due season) on account of said custom house considering the said petroleum liable to the payment of duties, while it is free according to schedule A, paragraph 7 of the reciprocity agreement between the United States and Spain.

He likewise protests against the double duties or any other charges which said custom house may impose on the said crude petroleum for having declared it free of duties.

And for further evidence and that this protest have all the necessary effects according to requisites specified in the telegram dated in Washington on the 28th June ultimo, addressed by Mr. Wharton, Assistant secretary of State to Mr. Williams, Consul General of the same, he presents this protest in this city.

Before me,
Ramon O. Williams
Consul General.

Havana, April 25th, 1893.

Signed: Ricardo Narganes.

Enclosure nº 1, with Despatch nº 1859.

Copia.

Don RICARDO NARGANES, Administrador General de la Compania Hispano-Americana de Gas (Spanish American Light and Power Company) comparece ante el Sr. Consul General de los Estados Unidos de America y en la mejor forma que proceda:

PROTESTA contra el aforo que se ha hecho por la aduana de este puerto del petróleo crudo recibido de New York en los tanques de hierro de los siguientes buques: barca americana "Matanzas", entrada en este puerto el dia 22 de Julio de 1892, bca. amer. "Carrie E. Long" entrada en puerto el dia 9 de Agosto de 1892, bca. amer. "Matanzas" entrada en este puerto el dia 6 de Octubre de 1892, bca. amer. "Carrie E. Long" entrada el dia 13 de Octubre de 1892, bca. amer. "Matanzas" entrada el dia 2 de Diciembre de 1892, bca. amer. Carrie E. Long entrada el 30 Dicbre. 1892, cuyas declaraciones y entradas oficiales fueron presentadas oportunamente, toda vez que la aduana resuelve ahora que considera dicho petroleo sujeto al pago de derechos, de lo que es libre el citado petróleo segun la tabla A, partida 7 del convenio de reciprocidad vigente entre España y los Estados Unidos.

PROTESTA tambien el infrascrito contra los derechos dobles y cualquier otro gravamen que le imponga la aduana de este puerto a causa de haber declarado como libre el citado petroleo crudo.

Y para que asi conste y esta protesta surta los efectos necesarios segun lo dispuesto en el telegrama fechado en Washington en 28 de Junio proximo pasado, de Mr. Wharton, Sub-Secretario de Estado de dicha Nacion a Mr. Williams, Consul General de la misma, la presento en esta ciudad.

Habana, 25 de Abril de 1893.

Ante mi, Firmado: Ricardo Narganes.

Ramon O. Williams,
Consul General.

Enclosure No. 2.
With despatch No. 1859
H A V A N A , April 26,1893.

Translation.

U.S.Consulate General.

Havana, April 26,1893.

To H.E.the Governor of the Western Region and of the Province of Havana.

Excellency:

In compliance with the instructions of the Honorable Secretary of State of the United States and in accordance with article 19 of the treaty of the 27th October, 1795, between the United States and Spain which grants, by virtue of the most favored nation clause, to the consulsof the United States in the dominions of Spain the same privileges and faculties enjoyed by the consulsof spain and of other nations in the States of the American Union, and pursuant to the indication of H.E.the Governor General of August 17,1892; I have the honor to present to the consideration of Y.E.the enclosed certified copy of the protest of Mr.Ricardo Narganes, Administrator General of the Spanish American Light and Power Company, against the appraisement made by the custom house of this port on crude petroleum received from New York by sundry vessels; said appraisement being considered contrary to paragraph 7, schedule A of the reciprocity agreement between Spain and the United States.

I am, etc. etc.

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 2. /Desp.
With Despatch No.
HA V A N A , April 26,1893.

Copy.

Consulado general de los
Estados Unidos .- HABANA.

Cumpliendo con instrucciones del Honorable Secretario de Estado de los Estados Unidos,y de conformidad con el artículo 19 del tratado de 27 de Octubre de 1795 entre los Estados Unidos y España que concede,en virtud de la cláusula de la nacion mas favorecida,á los cónsules de los Estados Unidos en los dominios de España iguales privilegios y facultades que los gozados por los consules de España y de otras naciones en los Estados de la Union Americana,y siguiendo para el caso la indicacion del Excmo.Sr.Gobernador general de fecha 17 de Agosto de 1892; tengo el honor de presentar á la consideracion y resolucion de V.E.la adjunta copia certificada de la protesta de D.Ricardo Nargánes,Administrador general de la Compañia Hispano Americana de Gas de esta capital,contra el aforo hecho por la aduana de este puerto sobre petróleo crudo recibido de Nueva York por diversos buques; por considerar dicho aforo contrario á la tabla A,partida 7 del convenio de reciprocidad entre España y los Estados Unidos.

Dios guarde a V.E.muchos años.
Habana,Abril 26 de 1893.

Signed: Ramon O.Williams,
Consul General.

Excmo.Sr.Gobernador de la Region Occidental y de la provincia de la Habana.

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Ans'd May 9 '93

No. 1860.

U.S. Consulate General.
Havana, April 27, 1893.

Mr. Williams
to the
Department of State.

Answering instruction No. 773, and reporting on the complaint of Capt. Geo. D. Haskell of Amer. schr "H.S. Cottrell."

5 enclosures.

No. 1860.

U.S. Consulate General.
Havana, April 26, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge the receipt of the instruction no 773 of the 11th instant enclosing a copy of a letter of Mr. George D. Haskell, master of the american schooner "H. S. Cottrell", complaining to the Department that he had not been treated with proper consideration at this Consulate General, when he called here on official business, and to reply as follows:

In

In the first place:
masters do not have to let
the consignee take the
Register which the latter
return from one to six
days. The fact of the case
is this: all ship-masters
are required, especially of
those vessels arriving at
Cuban ports for the first
time, to present the Register
to the custom house in-
terpreter for the recording
of a descriptive list of the
vessels, comprising such
items, as name, build,
rigging, tonnage, where built,
owners, master's name,
official numbers and letters
etc. But many masters,
especially those foreign to
Spanish law and language,
omit the performance of this
duty, before the deposit of
the Register with the Consuls,

and

and others neglect it altogether; and as a consequence the consignees have to attend to it for them. This often involves the temporary loan of the Register to the consignees by the consulates under the promise of immediate return. When masters, themselves, present the Register at the custom house, then, the consignees do not have to ask for it. Therefore, if there has been any omission in the case of Captain Haskell, it was on his part and not on that of the consignee or this Consulate General.

Second: I do not know Captain Haskell, neither do I recollect of having been requested to receive a letter from him for the sending

of

of it with the mail from the Consulate General to the post office. I have never known of a refusal of the kind having been made by any one in this Consulate General.

Third; The mails, as soon as brought from the post office, are placed in an orderly manner on the broad railing of the office, that being the most convenient place for all, and they are there looked over freely by masters and tourists; they sometimes get a little separated in their replacement, and if any are left over from the selection of the day - they are carefully replaced on the rail for the visitors of the next day. This has been the practice here for a long time

time; and seems to have worked without trouble, hitherto, to any body.

Fourth: In answer to the charge that Mr. Springer spoke sharply, saying he would shoot the master, if he touched a letter, I enclose a letter from Mr. Springer, in which he says he does not recollect of having been discourteous to captain Haskell. As for my part, I have never yet seen Mr. Springer with a fire arm, nor have I yet heard such language in this office. All the master had to do for the correction of such language, if used, was to have complained to me at once.

Fifth: With regard to the charge that I did not attend to the collection

collection of his demurrage
when he was here a year ago,
& must say that I do not
recollect this particular case.
A great many such requests
are made to this office under
the erroneous impression that
consular officers of the United
States are invested with judicial
functions for the enforcement
of contracts in foreign countries.
In all such instances the
good offices of the Consul
General are tendered for the
amicable arrangement of these
disputes; and when this offer
avails nothing, he then
informs the master that
the case turning on the
fulfilment of a contract,
becomes, from its nature,
a matter to be decided by
the Courts here or in the
United States, as the case
may be. If the agent or
assignee

assigned, here, does not
comply with the stipulations
of a charter party made by
the principal in the United
States, for the loading there
and the landing of the cargo
here; then the master only
has to make his protest in
proper form in this Consulate
General, as a sworn statement
of the facts; - take a certified
copy of it, and empower an
attorney at the place of
residence of the Charterer
to bring suit for demurrage
or non-fulfilment of the
contract by his agent in Cuba.
Again, if the loading of the
cargo takes place in Cuba for
its landing in the United
States, and demurrage is
incurred, which the Cuban
Charterer refuses to pay before
the sailing of the vessel, the
same methods of procedure
hold

hold good; an injunction
is obtainable through judicial
means on the cargo for the
demurrage; - because demurrage
money emanates just as much
from the bi-lateral engage-
ments of the charter party or
freight contract as the freight
money. A great many cases
are settled in the United States
of demurrage, either by out-
right acknowledgement of the
right of the master and refusal
there, on the part of the charterer;
to stand suit, or by the
decision of the courts; or by
reference to arbitrators of the
different maritime Associations.
But I know of no consular
treaty by which the consular
officers of Great Britain, France,
Germany, Holland, Sweden
and Norway, Spain etc, are
invested with judicial powers
for the adjustment of such
cases in New-York, New-Orleans,
Boston

Boston or San Francisco, regardless of the Courts of the United States. Neither, can it be supposed that the consular officers of the United States in London, Antwerp, Amsterdam, Havre, Havana, Bergen or Stockholm, are in such matters above the courts of Great Britain, Belgium, Holland, Spain, Sweden and Norway. Yet many american shipmasters, and I am very sorry, too, that some consular officers of the United States are of this erroneous way of thinking in the matter, as will be shown by the Department's instruction no. 9 of August 19th, last, to our consul at Matanzas, Mr. Cheney; as well as by the despatch no. 232 of June 27th, last, of our commercial agent at

1/

at Sagua, Mr. Mullen, wherein
he differed from me in my
2/3/4/5 answer to his consultation
of the 25th June, last.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

5 Enclosures:

No. 1 - Mr. Adee to Mr. Cheney, Aug 19—
" 2 - " Mullen to Mr. Williams, June 25 —
" 3 " " " " " " 24
" 4 " Williams to Mr. Mullen " 25
" 5 " Mullen to Mr. Williams " 27

Enclosure No. 1.
With Despatch No. 1860.
H a v a n a, April 27 1893.

Copy.
No.9.

Department of State.

Washington, August 19, 1892.

Elias H. Cheney, Esq.

Consul of the United States,

Matanzas, Cuba.

Sir :

I have to acknowledge the receipt of your despatch No.16, dated July 26th last, reciting the complaint of masters of american sailing vessels of inability to collect demurrage, and asking instructions as to whether there is any action it would be proper to you to take in the case.

The Department is of the opinion that the remedy would lie in an action in the courts, and there appears to be no ground upon which the Department could intervene, unless, after an appeal to the local courts, there should be a denial or failure of justice.

The enclosures sent with your despatch are returned herewith, as being of possible assistance to the preparation and trial of any action the masters of the sailing vessels may think proper to bring.

I am, Sir, your obedient servant,

Alvey A. Adee,

2nd. Assistant Secretary.

Enclosure No. 2.
With despatch No. 1860
HAVANA, April 27, 1893.

Copy.

U.S.Commercial Agency.

Sagua la Grande.

June 23rd,1892.

Ramon O.Williams,Esq.

U.S.Consul General,

Havana.

Sir:

To-day I wired you as follows:"Goleta Carrie L.Godfrey dete-"nida orden Juez Municipal. Cargadores niegan pagar demurrage "o admitir firmar conocimiento bajo protesta".

The master of the above named vessel chartered to the firm of Mesrs.Mora Oña & Ca to carry a cargo of sugar on bags; ten working days being allowed for the loading of cargo; lay days to commence May 30th at 6 P.M. From this time to the conclusion of the lay days the weather was good as is proved by the fact of the following vessels that cleared between the said dates:

May 31st	Clintonia	11.370 bags	Conde C.More
June 2nd	Levi Hart	4.252 "	Larrondo x Co
" 3rd	Adele Thackaw	5.851 "	"
" 7th	Acadia	2.317 "	Mora Oña x CO
" 7th	Ashfield	14.149 "	"
" 11th	Emma C.Knowles	6.310 "	"

On June 21st the master of the Carrie L.Godfrey finished loading by request of shippers,came to Sagua to clear his vessel they refused to pay him any demurrage

demurrage, telling him he might protest. On the following day the protest was made and captain signified, in writing his willingness to sign bills of lading under protest, which offer was refused. As the invoices had been duly authenticated the master demanded his clrearance and I furnished him with same. Upon his arrival at La Boca the Captain of the Port refused to allow of his departure as he had been requested by the Juez Municipal of that locality to impede the departure of vessel, said impediment without stating reasons, having been requested by Mora Oña x Co.

This is how th e case stands at present, the only step taken by me being the noting of protest by master against the action of shippers and notifying them of the fact.

I am, Sir, your obedient servant,

Signed: D.M.Mullen,

Commercial Agent.

Enclosure No. 3, 1860
With Despatch No.
H A V A N A , April 27, 1893.

Copy.

U.S.Commercial Agent.

Sagua la Grande.

June 24,1892.

Ramon O.Williams,Esq.

U.S.Consul General,

Havana.

Sir:

I have the honor to acknowledge receipt of your telegram last evening as follows: "Sirvase mandar relacion "detallada caso"Carrie L.Godfrey" entre tanto gestione V. ante autoridades esa Region segun convenga".

To which I replied: "caso detallado Carrie L.Godfrey por correo". To-day formal protest by Notary public was served on Messrs.Mora Oña & Co holding them liable for all damages.

In answer to my letter to captain of Port he informs me (officially) that he is entirely ignorant of the cause of the detention of the Carrie L.Godfrey; that the Juez Municipal had requested his co-operation in detaining the vessel by order of Messrs.Mora Oña x Co. Have this day also received a letter from Messrs.Mora Oña & Co acknowledging receipt of protests and closing with the following phrase:

"After a careful examination of the matter we "have decided to place the case before the court "for the decision".

I am,Sir,your obedient servant,

Signed: D.M.Mullen,

Commercial Agent.

Enclosure No. 4.

With Despatch No. 1860

H A V A N A , April 27,1893.

Copy.

U.S.Consulate General.

Havana, June 25,1892.

D.M.Mullen, Esq.

U.S.Commercial Agent,

Sagua.

Sir:

I have to acknowledge receipt of your two telegrams of 23rd and 24th instant relating to the case of the schr. Carrie L.Godfrey and also your letter of the 23 rd instant with report of the same case.

As this matter has reference to the execution of a contract and is therefore a matter for judicial and not consular intervention, without the cahrter party at hand to refer to, I have telegraphed you to-day as follows, which I beg to confirm:

"Recibi carta pero no contrato de fletamento, segun mi "parecer y con los pocos datos á la vista el capitan de- "biera firmar conocimientos en limpio, y reclamar aparte "el pago de las estadias, bien sea ante tribunal en Sagua "o ante el puerto de destino segun juzgue mejor".

very truly your obedient servant,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 5, 1860
With despatch No.
H A V A N A , April 27, 1893.

Copy.

U.S.Commercial Agency.

Sagua la Grande.

June 27, 1892.

Ramon O.Williams, Esq.

U.S.Consul General,

Havana.

Sir:

I have the honor to acknowledge the receipt of your letter of the 25th confirming your telegram of same date and to inform you that in accordance with same the master of the sch. Carrie L.Godfrey signed bills of lading and this morning sailed for port of destination, Boston.

The charter party of this vessel is the form in general use and contains the clause. "The captain to sign "bill of lading as presented without prejudice to this "charter party." Demurrage to be paid as it may become due at the rate of $45.06 spanish gold, for each and every day employed over and above said lay days, detained through default of the charteres or agents".

Copies of protests etc have this day been forwarded to owners of vessels, with account of case.

I am, Sir, your obedient servant,

Signed: D.M.Mullen,

Commercial Agent.

Enclosure No.1.

With despatch No.1861.

H A V A N A , April 28,1893.

Copy.

U.S.Consulate General.

Havana,April 22,1893.

Ramon O.Williams,Esq.

U.S.Consul General,

Havana.

Sir:

In reply to the complaint dated April 2 made to the Department of State by Mr.George D.Haskell,master of am.schr."H.J.Cottrell",I have to state that I have no recollection of having made the remark attributed to me by Capt.Haskell,nor of having been wanting in courtesy to him in this office.

very respectfully,

Signed: Joseph A.Springer,

U.S.Consular Clerk x Vice Consul General

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file

No. 1861.

U.S. Consulate General.
Havana, April 28, 1893.

To
Hon. Josiah Quincy,
Assistant Secretary of State,
Washington, D.C.

Transmitting an enclosure omitted in despatch no. 1860.

1 Enclosure

No. 1861.

U.S. Consulate General.
Havana, April 28, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

After forwarding my despatch no. 1860 I find that the copy of the letter from Mr. Springer referred to therein has been omitted; I therefore beg to enclose it herewith.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

1 Enclosure:
No. 1 - Mr. Springer to Mr. Williams,
April 22 —

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Ans'd May 9.93

No. 1862.

U.S. Consulate General.
Havana, April 28, 1893.

Mr. Williams
to the
Department of State.

In continuation of despatch
No. 1860.

5 Enclosures.

No. 1862.

U.S. Consulate General.
Havana, April 28, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my despatch no 1860 of the 26th instant and in further illustration of my answer to the complaint of Mr. George D. Haskell, master of the american Schooner "H. A. Cottrell", that I did not attend to the collection of his demurrage when he was here a year ago, I beg now to enclose copies of the Department's instruction no 507 of the 20th December, 1889, enclosing the letter of Mr. Charles D. Pecker 1/ 2/

Pecker of Lynn, Mass., dated at Boston, November 26th, 1889; also copy of letter addressed me by Mr. A. J. Hall, master of american schooner "Olive Pecker", as well as my despatch no. 1081 of February 4, 1890, reporting in regard to a similar request on the part of said Mr. A. J. Hall; and likewise, copy of the Department's instruction no. 519 of March 29, 1890, to me, approving of my action in that matter.

3/

4/

5/

I am, Sir, very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

5 Enclosures:
No. 1 - Department's instruction no. 507.
" 2 - Mr. Pecker to the Hon. Secretary of State.
" 3 - Mr. Hall to Mr. Williams.
" 4 - Despatch no. 1081.
" 5 - Department's instruction no. 519.

Enclosure No. 1.

With Despatch No. 1862.

HAVANA, April 28, 1893.

Copy.
No.507.

Department of State.

Washington, Dec. 20, 1889.

Ramon O.Williams, Esquire,

Consul General of the United States,

Havana.

Sir:

I enclose herewith a copy of a letter from Mr. Charles D.Pecker, agent for the owners of the american schooner "Olive Perker", in which he requests the Department to instruct you to assist the master of said vessel in his efforts to enforce payment in Havana of his claim for demurrage.

You will please render the master such assistance in the matter as you can consistently with your official position and duties.

The original enclosures to Mr.Peeker's letter are herewith sent to you.

I am, Sir, your obedient servant,

Signed: William F.Wharton,

Assistant secretary.

Enclosure No. 2.

With Despatch No. 1862.

HAVANA, April 28, 1893.

Copy. Boston, November 26, 1889.

Hon. James G. Blaine,

Secretary of State,

Washington, D.C.

Dear Sir:

I enclose copy of charter party of our new schooner "Olive Pecker" for cargo of coke hence to Havana, and captain's protest claiming demurrage for unnecessary and wilful detention, after being loaded and ready for sea, by charterers insisting on his signing bills of lading for 979 tons of cargo when by weighers return there was 1018 tons put on board, which he proposes to collect if he can in Havana, If it is not incompatible with the usage of your Department, we should like these documents forwarded at once to our Consul at Havana with instructions to render special assistance to the master in obtaining his rights.

In these spanish ports, there is so little law that will avail a master of a vessel seeking redress, that the chance of getting anything is very small, but there is some hope, if he can command the official influence of the Consulate.

Cases have occurred when a consul refused to interfere on the ground that personal grievances between his master and the charterers, did not come within the range of his official duty,, though we should suppose, it was a part of the business of every agent of our government

abroad to render service and protection to american commerce and citizens without any special instructions from the Department.

In this case charterers agents, weighed or had weighed by a sworn officer, into the vessel 1018 tons coke, and they entered outwards at the custom house 979 tons, of course the custom house refused clearance to the vessel, unless the bill of lading was made to correspond with the manifest; after five days detention the charterers agent amended the manifest up to 1018 tons, and accepted bill of lading for that quantity, and the vessel was then cleared and went to sea, and we can see no reason why they should not pay for the detention, such demurrage as is provided for in the charter party.

Very respectfully yours,

Charles D. Pecker of Lynn, Mass.

Agent for owner schr. Olive Pecker.

Enclosure No. 3.

With despatch No. 1862.

HAVANA, April 28, 1893.

Copy. Havana, 30 December, 1889.

Ramon O. Williams, Esq.

U.S. Consul General,

Havana.

Sir:

Notwithstanding the protest made by me in Boston, of which you have a copy, Mr. Barrios refuses to pay me the $425 demurrage due on the cargo of coke, mentioned in my protest.

I do not wish to mix the freight and demurrage, nor get into a suit by which they keep back my freight, to force me to sign a recipt in full of all demands for the freight alone.

If you cannot induce Mr. Barrios to pay me freight and demurrage, that you will settle it so I can collect the demurrage from the Barrios, of New York.

Respectfully your obedient servant,

Signed: A.J. Hall,

Master of schr. Olive Pecker.

Enclosure No. 4.

With despatch No. 1862.

HAVANA, April 28, 1893.

Copy.
No.1081.

U.S.Consulate General,

Havana, February 4,1890.

Honorable William F.Wharton,

Assistant Secretary of State,

Washington,D.C.

Sir:

Replying to instruction 507 of the Department, dated the 20th of December,last,transmitting a letter from Mr.Charles D.Pecker,agents for theowners of the american schooner "Olive Pecker",requesting the Department to instruct me to assist the master of the said vessel in his efforts to enforce payment in Havana of his claim for demurrage alleged to have been incurred at Boston,Mass,I beg to remark that the master cabled at this office the day of his arrival to present me a certified copy of the protest that he had extended before a notary public at Boston,with the request,under the belief apparently that this office was invested with judicial authority,for me to take charge of his claim and enforce its payment. I explained to him that the judicial enforcement of the payment of the claim could only be sought through the courts,and not through this office.

Further,that even then such a proceeding must be commenced by having the protest and charter party translated into spanish by the official interpreter,which would cost him probably $100 gold. Then,he would also have to appoint a lawyer to bring suit in his name,incurring thereby notarial fees with a cash deposit with

his lawyer for legal expenses to amount perhaps to some $200 gold more. Besides,as the act complained against, had taken place in the United States and not in Cuba, there was a great likelihood that the court here would decide itself incompetent for want of jurisdiction,in which case he would become responsible not only for his own legal costs,but also for those of his adversary, which,together would have made a considerable amount. .I indicated to him,too,that from some incident of the suit for the demurrage of $425,his freight money,amounting as well as I can recollect to upwards of $2500,might become involved in the proceedings and its payment made dependent upon the final decision,which could be staved off by the other party in the lower or upper court for a long period. In view of these circumstances,I advised him to try to settle the question here by arbitration, since he had not settled it in Boston,and by all means to avoid a lawsuit in Havana.

Upon the receipt of your instruction I delegated Mr.Springer,the Vice Consul General, to call at the office of Messrs.Barrios x Co,the consignees here, with the view of obtaining payment of the demurrage claimed by the master; but that firm utterly ignored any legal claim against it in the premises. The master then said that he would present his claim in New York,where his charter party was made. I enclose copy of the letter that the master,Mr.A.J.Hall ,addressed me,after the receipt of your instruction,in reply to my request for him to define the extract of the intervention he wished me to undertake. In this letter he limited his

request,as I had previously suggested,to the avoidance of a lawsuit,and to the mere exercise of the good offices of this Consulate general,which were exerted with Messrs. Barrios x Co,as above stated.

I am,Sir,very respectfully,

Your obedient servant,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 5.

With despatch No. 1862.

HAVANA, April 28, 1893.

Copy.
No.519

Department of State.

Washington, March 29, 1890.

Ramon O. Williams, Esquire,

Consul general of the United States,

Havana.

Sir:

Referring to your despatch No.1081, reporting the advice and assistance given by you to the master of the american schooner "Olive Pecker", in his claim for demurrage against the charters of his vessel, I have to inform you that your action in the matter is approved by the Department.

I am, Sir, your obedient servant,

Signed: William F. Wharton,

Assistant Secretary.

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Firm to press
S. M. B.

No. 1863.

U.S. Consulate General.
Havana, April 29, 1893.

Mr. Williams
to the
Department of State.

Political condition of Cuba.

Transmitting copy and translation of Proclamation issued by the Governor General declaring the province of Santiago de Cuba in a state of siege.

2 Enclosures

No. 1863.

U.S. Consulate General.
Havana, April 29, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State
Washington,
D.C.

Sir:

I have the honor to enclose herewith for the information of the Department a printed slip, with translation, of the Proclamation issued Yesterday by the Governor General of this Island, declaring the province of Santiago de Cuba in a State of siege, because of some bands of men having risen in arms against the Government, in the hamlets of Purrio and Velasco, near the north coast of that province; for the immediate

immediate suppression of which active military means are now being taken by the Government. According to the newspapers these bands number about one hundred, while rumor gives their number all the way five hundred to seven hundred men.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

2 Enclosures:
No. 1 - Proclamation
" 2 - Telegrams.

Enclosure No. 1
With Despatch No. 1863.
HAVANA, April 29, 1893.

Translated by Consul General Williams.

PROCLAMATION.

I, ALEXANDER RODRIGUEZ ARIAS y RODULFO, Governor and Captain General of the Island of Cuba etc. etc.

When the Island of Cuba was prospering in its material interests and all enjoying the political rights of the other citizens of the Nation, certain bands arise again in arms against the integrity of the territory, in its eastern Department; and disposed as I am to suppress with strong arm so criminal an attempt and to punish the delinquents as well as to protect the peaceful citizens who in no wise assist in the alteration of public order,- in use of the attributions with which I am invested.

I ORDER AND COMMAND:

ARTICLE FIRST: From the publication of this proclamation, the territory of the province of Santiago de Cuba is declared in a state of siege.

ARTICLE SECOND: Those accused of the crimes of rebellion and sedition and of transgressions connected therewith and affecting the integrity and security of the territory, are subject to the military jurisdiction in accordance with the law of the 17th of April, 1821.

ARTICLE THIRD: All rebels who in the term of eight days, counting from the time of the publication of this Proclamation in the capital towns of municipal districts present themselves to the authorities, are exempt from all

punishment.

ARTICLE FOUR: The civil and judicial authorities of said Province will continue in the exercise of their respective functions, so far as they do not oppose the prescriptions of this Proclamation; reserving to myself, notwithstanding, the authority to bring before the military jurisdiction such criminal cases as I may consider convenient for its cognizance.

Havana, 28 April, 1893.

ALEJANDRO RODRIGUEZ ARIAS.

ABRIL 28 DE 1893.

GACETA DE LA HABANA

PERIODICO OFICIAL DEL GOBIERNO

EDICION EXTRAORDINARIA

GOBIERNO GENERAL DE LA ISLA DE CUBA

DON ALEJANDRO RODRIGUEZ ARIAS Y RODULFO,

Gobernador y Capitán General de la Isla de Cuba, etc.

Cuando la Isla iba prosperando en intereses materiales y disfrutaba de todos los derechos políticos de los demás ciudadanos de la Nación, unas partidas se alzan de nuevo en armas contra la integridad del territorio en la parte oriental de ella; y dispuesto como me hallo á reprimir con mano fuerte tan criminal tentativa y castigar á los delincuentes, á la vez que protejer al ciudadano pacífico que en nada coadyuve á la alteración del orden público, en uso de las facultades de que estoy investido;

ORDENO Y MANDO:

Artículo 1º Desde la publicación de este Bando queda declarado en estado de guerra el territorio de la provincia de Santiago de Cuba.

Art. 2º Los reos de los delitos de rebelión ó sedición y sus conexos y cuantos afecten á la integridad y seguridad del territorio, quedan sujetos á la jurisdicción militar, con arreglo á la Ley de 17 de Abril de 1821.

Art. 3º Los rebeldes que en el plazo de ocho días, contados desde la publicación de este Bando en las cabeceras de distrito municipal, verifiquen su sumisión á las autoridades, quedarán exentos de toda pena.

Art. 4º Las autoridades civiles y judiciales de dicha provincia continuarán en el ejercicio de sus funciones respectivas, en cuanto no se opongan á las prescripciones de este Bando, reservándome, no obstante, la facultad de atraer á la jurisdicción militar los asuntos criminales de que considere conveniente que ésta conozca.

Habana, 28 de Abril de 1893.

Alejandro Rodríguez Arias.

Imp. del Gob. y Cap. Gral. por S. M.

Enclosure No. 2.
With despatch No. 1863.
H A V A N A , April 29,1893.

Copy.

TELEGRAM.

Santiago de Cuba, April 28.

Half past one P.M.

Alcaldes reply tranquility, characterized persons agreeing with them, including Baracoa.

Bravo.

TELEGRAM.

Santiago de Cuba, April 28.

4 h. 10' P.M.

To the Governor General, Military and Regional Governors.

If Y.E. has no other information than what we have, we pray in view of the great damages that the Proclamation be suspended till receipt of further information.

Bravo.

Enclosure No. 2.
With Despatch No. 1863.
Habana, April 29. 1893

SUPLEMENTO Á LA LUCHA.

Telegramas importantes

Habana 28 de Abril de 1893

Santiago de Cuba, abril 28
1 y media tarde

«Alcaldes contestan tranquilidad, protestando con ellos personas caracterizadas, incluso Baracoa:

Bravo.»

Santiago de Cuba, abril 28
4 y 10 tarde.

Al Gobernador General, los Gobernadores Militar y Regional.

«Si V. E. no tiene otras noticias que las nuestras, rogaríamos en vista de perjuicios graves, suspendiese Bando hoy hasta venida de nuavas noticias.

Bravo. —Suero.»

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No. 1864.

U. S. Consulate General.
Havana, May 2, 1893.

Mr. Williams
to the
Department of State.

Ackd May 13

Letter of Mr. Gibbs, U. S. Commercial Agent at Sagua, in regard to the recent outbreak at Holguin.

No. 1864.

U. S. Consulate General.
Havana, May 2, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State
Washington,
D. C.

Sir:-

I have the honor to copy in continuation a letter received, from Mr. Gibbs, our Commercial Agent at Nuevitas, in regard to the recent outbreak at Holguin.

"Commercial Agency of the
"United States.
"Nuevitas, April 29, 1893.

"Ramon O. Williams, Esq.,
"United States Consul General,
"Havana.

Sir:—

"Herewith I enclose
copy of Proclamation published
in the "Boletin Oficial de la
"Provincia de Puerto Principe"
"this day and has been posted in
"all public places in this Town,
"declaring the Province of St.
"Jago de Cuba in a state of—
"Siege or under martial Law.

"I have no positive informa-
"tion but have heard that a
"revolution has been started near
"Las Tunas" and has extended
"to Bayamo and towards the
"coast North and South. There
"are many reports some very
"contradictory, nothing certain.

"Troops have arrived here to day
"from Puerto Principe and will
"leave immediately to cross the
"bay to Baga and from there
"to San Miguel to go to Cascorro
"and Guantanamo. There is some
"excitement but it is not considered

"a formal vising and it is said
"no one of importance has charge.
"If possible by the mail
"that passes on the 2d proximo,
"I will write further."

"Yours respectfully,
"Sigrid Richard Fritz,
"Commercial Agent."

I am Sir,
Very respectfully,
Your obedient Servant,
Payson O. Hoffman,
Assistant Attorney General.

Mr Strobel

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Ans. 8 May 9

No. 1865.

U. S. Consulate General.
Havana, May 2. 1893.

Mr. Williams,
to the
Department of State.

Economic condition of Cuba.

one enclosure.

3RD ASSISTANT SECRETARY.
MAY 6 1893

Acknowledge. Read with interest.

No. 1865.

U. S. Consulate General.
Havana, May 2, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

Believing that it would interest the Department, I beg to accompany for its information the translation of an article that appeared the 26th ultimo in El Pais, - the home rule party organ of this city, entitled the

Reciprocity Arrangement,

in which it analyses and comments the conditions necessary to the revocation of the said arrangement between the United States and Spain.

I am, Sir,

Very respectfully,
Your obedient Servant,
Ramon O. Williams.
Consul General.

Enclosure.
1. Translation as stated.

Enclosure No. 1
With despatch No. 1865.
H A V A N A ,May 2 - - - - - - - 1893.

Translated by Consul General Williams.

From EL PAIS of Havana, April 26, 1893.

THE RECIPROCITY ARRANGEMENT.

The telegraphic advise informing us that President Cleveland proposes to denounce the reciprocity arrangement through which the commercial relations of the United states have been some time adjusting themselves to this Island, accompanied with customs difficulties and complications that our Government ought to have stopped, has awakened no few perplexities in those persons exempt of that blissful state of arrogance in which some others live.

It behooves us, therefore, to ask the question: Under what conditions can this denunciation be made? Here are the terms of the problem :

In the note of the 8th of June of 1891, formally initiating the negotiations of the arrangement on our part, the Minister of Spain, Mr. Suarez Guanes, after making the tenders of our Government, expressed himself to the secretary of State of the United States, Mr. Blaine, as follows :

"With the understanding that this commercial
"arrangement, put in operation under the clauses
"above stated, shall remain in force so long as it
"shall not be modified by the mutual agreement of
"the Executive Power of the two countries, always re-
"serving the respective right of the Cortes of Spain
"and of the Congress of the United States to modify
"or repeal said arrangement whenever

"they may think proper".

In the note of the 10th of June, the Secretary of State replied :

"I have, therefore, to request that you will be "so kind as to call at the Department of State at "your early convenience to agree upon the time and "manner of making public announcement of this tran- "sitory commercial arrangement, which it is under- "stood, shall remain in force so long as it shall not "be modified by the mutual agreement of the Executive "Power of the two countries, always reserving the "respective right of the Congress of the United "States and of the Cortes of Spain to modify or re- "peal said arrangement whenever they may think "proper".

In his note of the 12th of June intended to fix the bases of the definitive arrangement, Mr. Suarez Guanes made this declaration :

"The definitive arrangement thus put in opera- "tion shall remain in force so long as it shall not "be modified by the mutual agreement of the Execu- "tive Power of the two countries, always reserving "the respective right of the Cortes of Spain and of "the Congress of the United States to modify or re- "peal said arrangement whenever they may think "proper".

And in his reply of the 16th of June relative also to the definitive arrangement, the Secretaryof State, Mr. Blaine, accepted it in these explicit terms :

"This definitive commercial arrangement, which,
"it is understood, shall remain in force so long
"as it shall not be modified by the mutual agreement
"of the Executive Power of the two countries, always
"reserving the respective right of the Congress of
"the United States and of the Cortes of Spain to
"modify or repeal said arrangement whenever they may
"think proper."

Therefore, a superficial examination of these clauses suffices to show that the several versions about this matter are mistaken. Mr. Cleveland cannot alone revoke the convention, and it will continue in force till by mutual agreement both parties decide to modify it, or till the legislative powers of each country, the Congressof the United states, the senate and House of Representatives, not now in session; or the Cortes of Spain, Senate and Congress, make use of their respective right to modify or repeal said convention whenever either may consider it convenient.

In other terms, beyond the attributions corresponding to the legislative powers of the two countries which were expressly reserved, neither the American nor Spanish Executive can do more than propose to each other respectively an agreement modificative of the convention.

Those persons who have taken pains to study the subject will not have forgotten that one of the principal objections to the convention was the one based on its uncertainty of duration. They believed from this fact,

that it involved all the inconveniences without the greater advantages of the treaties of commerce, the same as summed up by P.Cauwes in his admirable text :

"Stability is the supreme necessity of industry, "above all in international commerce; it is there- "fore a necessity of all manufacturers employed in "the supplying of foreign markets that they be not "hampered in their operations by sudden changes in "~~the~~ tariff legislation".

This argument is applicable to all analogous interests. But the arrangement did not respond to this necessity. Far from it, its instability became the natural consequence of it not having a fixed term of duration; therefore, its suspension can be declared at any time either by the mutual agreement of the respective Executives, or separately by resolution of either Parliament in the exercise of its sovereign attributions. Nor was anything else possible; for the authorization granted by Congress to the President was not sufficient for he to negotiate alone what might be properly called a commercial treaty, and it would have been every way chimerical to have counted on the Senate and House to have done what they have never done : that is, agree the one with the other on any commercial treaty submitted to them. The President, therefore, limited the negotiations to the terms of the special and exceptional authorization granted him under the famous Aldrich amendment of the 3rd Section of the Mac Kinley bill.

Under the right and duty to reimpose import duties

on sugars, molasses, tea, coffee and hides of those countrie whose governments correspond by unequal and unreasonable impositions on american products imported therein, in view of the free admission of such articles into the United States, the President could not in the reciprocity convention with Spain, nor in those with other nations, do otherwise than accept the concessions made to him, and engage himself not to make use of the authority invested in him by Congress, so long as the concessions lasted; reserving to Congress, the freedom of action of which it did not and could not relinquish in the said Aldrich amendment. This was the reason why a fixed term of duration was not given to the arrangement; because the President could not take upon himself the obligation in the absence of the approval of Congress, nor could Spain do it either, the authority on her side being reserved to the Cortes. But the President did formally obligate himself to the only thing which in reality he could obligate himself, that is, to not make use of the extraordinary faculty conferred upon him by the Aldrich amendment, so long as our Government complied with its engagements. The only thing he can do, by himself, is to propose modifications to our Government which, however, cannot take effect till mutually agreed upon; in the same manner as would take place if our Government were to propose similar modifications to him.

Will it be this that Mr. Cleveland proposes to do? Undoubtedly, -it is not much- he has authority for it, and our Government will only be too glad to accept any

suggestions that may be made it against a treaty which it only accepted from necessity (sic) and upon which it looks with profound disgust (sic),because of the damage inflicted on important peninsular interests accustomed ,as they are,to profit unjustly at the expense of Cuba, as well as by reason of the decrease in the revenues from import duties,apart from the mistrust of the political consequences that might at last be brought on from the too great intimacy of commercial relations now existing between Cuba and the United States. From this last point of view opinion is unanimous in the Metropolis. Even consistent free traders yield to it,and the protectionists accustomed from old to the commercial exploitation of patriotism,embrace it with hypocritical ardor. We have sufficient proof of the existence of this opinion in the speech delivered in the Cortes on the 22nd of June,1892, by Mr.Moret y Prendergarst,whose correctness of criterion is known and of whose adhesion to free trade principles no one can doubt,in which speech he gave out these grave words:

" Spanish nationality encounters an inmense "danger in the treaty with the United States; the "treaty is in reality a danger to our nationality. "I denounce that treaty: I said so last year,I "knew the Government had no remedy but to make it, "and I said so to those on the other side of the "house". Well now Mr.Moret is the Secretary of the Interior acting as secretary of foreign Affairs. Who doubts that he will not be pleased,or will support with

his unquestionable ability, any step that will permit his country to liberate itself from a situation which he considers "an inmense danger".

But what interest can Mr.Cleveland have in that? Further on, perhaps, he may have, when in the development of the plans of his party, the moment must inevitable arrive to reimpose the duties on sugar in order to abolish the bounty now being given to the producers of sugar in the United States, in exchange for the free importation of sugar from foreign countries. But meanwhile, what interest can Mr.Cleveland have in losing for pleasure the advantages of the enormous increase of exports which the United States have obtained with Cuba in one year.

But what can, however, be conceived is that he may propose modifications tending to put a full stop to the absurd interpretations and to the tracasseries to which the trade of the United states is subjected here and that if satisfaction is not given him that he may adopt some severe measure of reprisal like that of his famous proclamation of 1887 (1886) that suddenly suspended the agreement of 1883 with the reimposition of the additional ten per cent discriminating duty on the products of this Island, while our impenitent bureaucrats passed their time with byzantine phlem in discussing as to whether the agreement applied or not to the products and procedencias, or only to the products proceeding from the United States. The solution given by Mr.Cleveland with sush quick Yankee rudeness, to that famous and not sufficiently appreciated controversy, was sufficient to bring about a renewal of the agreement within a few days with-

Note: When imported there in spanish bottoms under section 7 of 1902.

out further doubts about its true interpretation. This precedent should not be forgotten by those who amuse themselves with building castles in the air.

We do not understand that the question has yet taken a definite shape; but it can again become a most important one to the interests of this Island. In such state, it behooves the inhabitants of Cuba to await the coming of events in vigilant, circunspect and watchful attitude, looking with as much mistrust on the monopolist of Barcelona or Santander, desirous of recovering the few privileges wrenched from him by the reciprocity arrangement, as with interest on the eventualities that may spring out of the commercial policy of the United States.

---------- 0 --------

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Dep't of State.

Given to press WR

No. 1866.

U.S. Consulate General.
Havana, May 2, 1893.

Mr. Williams
to the
Department of State.

Recd May 13

Political condition of Cuba.

Transmitting translation of a resolution adopted by the Central Committee of the Home Rule Party in relation to the recent insurrectional outbreak at Holguin.

1 Enclosure.

No. 1866.

U.S. Consulate General.
Havana, May 2, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

With reference to previous despatches relating to the recent insurrectional out-break at Holguin, province of Santiago de Cuba, I have the honor to enclose a trans-lation of the resolution adopted, on the evening of the 29th ultimo, by the Central Committee of the Home Rule Party of this Island, condemning in emphatic terms that armed movement. 1/

I am, Sir, very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

One

One enclosure.

No. 1 - Slip and translation as stated.

Enclosure No. 1.

With Despatch No. 1866.

H A V A N A , May 2, 1893.

Translated by Consul General Williams.

From EL PAIS of Havana, April 29, 1893.

RESOLUTION OF THE CENTRAL COMMITTEE OF THE HOME RULE PARTY. ----

At a meeting held by the Central Committee this evening the following resolution was unanimously adopted:

Considering : that the solemn obligations of the Home Rule Party, founded on experience, on the precepts of a sound and wise patriotism, on the requirements of the public peace and the sovereignity of the Metropolis,- conditions upon which depend the development of colonial freedom and the redeeming transformation of local institutions, impose on this Committee the duty of emphatically disapproving of every proceeding contrary to law, giving thereby a frank and sincere proof of its uprightness, as becoming to an earnest political party and which above all other things consults the needs of the public good : It resolves, therefore, to condemn the armed movement just initiated in the province of Santiago de Cuba, and at the same time to vigorously defend the principles sustained by our party,- as the guarantee of the legitimate and permanent interests of this country.

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No. 1867

U. S. Consulate General.
Havana, May 3, 1893.

Ref'd to Moore
Ellis left at Dept
June 3 '93

Mr. Williams
to the
Department of State.

Letter from Mr. Fontebell,
U. S. Consul at Santiago de Cuba,
in regard to the case of Mr. Bull.

No. 1867.

U. S. Consulate General.
Havana, May 3, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

I have the honor to copy in continuation a letter received from Mr. Fairchell, our Consul at Santiago de Cuba, in regard to the case of Mr. Bell.

"U. S. Consulate
"Santiago de Cuba
"April 22. 1893.

"Ramon O'Sullivan, Esq,
"U. S. Consul General,
"Havana,

"Sir:

"In the case of M. Bull,
"since the opinion given that the
"case could not be maintained
"in the criminal form, I am
"now informed that Mr. Colas
"has claimed a right of trial upon
"the case as it stood and that
"a trial will be had, as now
"arranged sometime in the course
"of two or three months.

"This, as well as I am able to
"learn to this date changes the
"condition, the Government
"refusing to be a party, and
"if they are right, those having
"the best knowledge think that
"this course of Colas may throw
"the cost upon him, which
"in the decision decreed, that
"each party pay his own cost.

"It is extremely difficult to
"get at these matters, but Mr Bull
"has had and still has good friends
"in the persons of Mr. Ramsden

"and Mr. Mason, who have never
"failed to aid him when they
"could do so. He, Mr. Bell, is
"expected here soon, (I have never
"yet met him) and when he comes
"I will investigate it further with
"him, and endeavor to get all the
"facts.

"I am, Sir,

"Your most obedient Servant,

"Signed = A. S. Twitchell,

Consul."

As this case radicates within the consular district of Mr. Twitchell, our consul at Santiago de Cuba, I have requested him to report upon it direct to the Department through this office, and in conclusion I beg to refer you to my despatches numbers 1819 and 1838.

I am, Sir,

Very respectfully, Your Obt. St.

Ramon O. Williams,

Consul General.

No. 1868.

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DEPT OF STATE

U. S. Consulate General.
Havana, May 3, 1893.

Mr. Williams,
to the
Department of State.

Ans. 8
May 13

Acknowledging receipt of the Department's circular of the 4th ultimo on the subject of cotton.

No. 1868.

U. S. Consulate General.
Havana, May 3, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

In answer to the Department's circular of the 4th ~ ultimo, calling for a report on the (1) production and (2) the consumption of cotton in this consular district, I have the honor to inform you that there is no production of cotton for commercial purposes in this district, and as regards the consumption of the ~ article, either in its raw or ~ manufactured state, that it is quite impossible for this office to obtain the statistics, as nine

are published by the Government.

Also, as there are no cotton manufactories in this district, I think it safe to say that raw cotton is never imported. At least I have never read or heard of any.

I am, Sir,

Very respectfully,

Your obedient Servant,

Ramon O Williams,

Consul General.

No. 1869.

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U. S. Consulate General
Havana, May 4, 1893.

Mr. Williams,
to the
Department of State.

Ack'd May 13

Relating to the fees for fumigating mails carried to Habana by the Plant steamers.

No. 1869.

U. S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

Replying to the Department's instruction number 1771 of the 19th ultimo, relating to the fumigation expenses of the American and European mails claimed from the Plant line of American steamers, apart from the fumigation of the cargo, which latter charge I understood was paid in the usual order by the consignees, I now have to report that the advocate on the part of the company, Mr. Leopoldo Sola, informs me that the case has been decided against the

company in the lower court.

The consignees of the line, Messrs Lawton Brothers, inform me, likewise, that they have sent a copy of the sentence to the company at New York.

I am, Sir,

Very respectfully,

Your obedient Servant,

Ramon O. Williams,

Consul General.

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No. 1870.

U.S. Consulate General.
Havana, May 4, 1893.

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MAY 10 93
DEP'T OF STATE

Mr. Williams
to the
Department of State.

Answering Department's instruction No. 776, regarding complaint of the New York Biscuit Company.

No. 1870.

U.S. Consulate General.
Havana, May 4, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 1776, dated the 18th instant, with the enclosure of a letter from the New York Biscuit Company, complaining that the customs official of this Island charge 50 per cent import duties on the boxes in which these crackers are packed for shipment.

In reply I have to say this is the same case which I had the honor to report

to

to the Department in my
despatch no. 1619 of the 19th
of last July, Mr. L.G. y Ruiz,
therein referred to as the
complainant, being the agent
of the New York Biscuit
Company in this City. Also,
that there can be no doubt
whatever as to the correct-
ness of the statement of
either the Company or of the
agent in this matter. For,
paragraph 376 of present
Cuban tariff, says:

Crackers, fancy and small
of all kinds, with inclusion
of the weight of the package
or covering:

Duty; -	1st. column -	2d. column	Agreement Reduction.
On 100 kilograms -	$13.60 -	$13.15 -	C. 50 %.

That the Department may
be the better able to judge
of the merits of this case,
I forward by the pouch
to-day

to-day one of the identical boxes, with the pieces taken apart and shooked, to serve it as occular proof.

Crackers cannot be imported here loose; consequently, if the American manufacturer is to have the right to exercise the privilege granted him under paragraph 58 of Schedule C against the competition of the manufacturer of Barcelona, who pays no duties, he must necessarily be exempted from paying duties, at least, on the boxes used in packing them. The New York Biscuit Company to this end uses a common box, made either of white pine or Spruce, such as the sample above alluded to. And the

the Department can see for itself what little commercial value these boxes can have, if any at all, after the crackers are disposed of, in comparison with the little tin fancy trunks in which the crackers of other countries are packed. Under paragraphs 19, 20, 21, 22 and 23, woods, except cedar and furniture, are admitted free under Schedule A. Therefore, if these boxes were to be imported here <u>empty</u>, from the United States, they would be entitled to come in free under paragraph 21, Schedule A. And it would seem that in equity, being emptied in Cuba, they ought to be entitled, likewise, to be admitted free.

I am,

Sir,

Sir,

Very respectfully,

Your obedient servant,

Ramm O. Williams,

Consul General.

2D ASSISTANT SECRETARY.
Ack + file.
MAY 11 1893

No. 1871.

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U. S. Consulate General.
Havana, May 4, 1893.

File

Mr. Williams,
to the
Department of State.

Ackd
May 10

Relating to the recent outbreak at Holguin.

No. 1871.

U. S. Consulate General,
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to copy in continuation a letter received from Mr. Gibbs, our Commercial Agent at Nuevitas, in regard to the recent outbreak at Holguin.

"Commercial Agency
"of the United States.
"Nuevitas, May 2, 1893.

"Ramon O. Williams, Esq.
"Consul General of the United States,
"Havana.

"Sir:-

"Referring to my letter of
"29th ultimo in relation to the
"rising of insurgents in the
"Province of St. Iago de Cuba,
"I will state that the steamer
"M.L. Villaverde" arrived on the 30th
"with some 450 infantry who left
"the same day for Bagá and San
"Miguel.

"To day the war ship "Jorge
Juan" arrived with some 200 infan-
try and left immediately.

"The "Cosme de Herrera",
"merchant steamer, arrived this
"morning with 200 querildas and
"their mount. All will be sent
"over to San Miguel from there
"to Cascorro and Guaimaro: it
"appears that the Government is
"pushing troops for that centre
"to form a military line across
"the Island with Las Tunas as
"a base.

"In this district all quiet,

"no movement and I think there
"is opposition to any by all
"parties."

I am, Sir,
"Your obedient Servant,
Signed = "Richard Gibbs,
"Commercial Agent,"

I am, Sir,
Very respectfully,
Your obedient Servant,
Lawrence O. Williams Jr.,
Consul General.

No. 1842.

U. S. Consulate General.
Havana, May 4, 1893.

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MAY 10 93
DEPT OF STATE

Mr. Williams

to the

Department of State.

Ans'd May 20

In regard to an attachment imposed by the Collector of Revenue on property of Messrs Lawton Bros. for fines alleged to have been incurred eighteen years ago by the American Steamers "Tappahannock" and "Margaret."

No. 1892.

U. S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction number 780 of the 20th ultimo relating to the attachment imposed by the Collector of Arrears on the property of Messrs Lawton Brothers for fines alleged to have been incurred eighteen years ago by the American Steamers "Tuscahannock" and "Margaret", and to reply that in my despatch number 1834 dated the 6th. ultimo, I reported to the Department that this attachment

had been raised by order of
the Governor General.

I am, Sir,
Very respectfully,
Your obedient Servant,
Thomas O. Wilkinson
Consul General.

No. 1873.

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U. S. Consulate General.
Havana, May 4, 1893.

Mr. Williams,
to the
Department of State.

Relative to the protest of Mr. E. P. Dowling, of the firm of Alberti and Dowling of Havana.

Ack'd May 13

No. 183.

U. S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

In acknowledgement of the receipt of the Department's instruction number 172 of the 10th ultimo relating to the protest of Mr. E. P. Dowling, against the imposition of duties on american butter, contrary to section 30 of schedule A of the commercial arrangement with Spain, I have to say that Mr. Dowling has been informed of the substance of the Department's instruction number 157, to our Ministers at Madrid,

against the imposition of this
duty.

I am, Sir,
Very respectfully,
Your obedient Servant,
Karen V. Hillyard,
Consul General.

No. 1874.

U. S. Consulate General
Havana, May 4, 1893.

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MAY 10 93
DEPT OF STATE.

Mr. Williams
to the Department of State.

Acct &
Mar

In regard to the assessment
of an import duty on a cargo of
coke imported by Messrs Barrois & Co
into Cuba from the United States.

No. 1874.

U. S. Consulate General
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I beg to acknowledge the receipt of your dispatch number 782 of the 22d ultimo informing me that the Department does not consider that coke should be admitted here free of duty under paragraph 5, - Schedule A, of the definitive agreement, and to say that I have informed Messrs Barrios & Co, of this decision.

I am, Sir,
Very respectfully,
Your obedient Servant,
Lamm O Williams
Consul General.

Mr. Strobel.

Ack & file.

S. 1145

No. 1895.

U.S. Consulate General.

Havana, May 4, 1893.

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MAY 10 93
DEPT OF STATE

Mr. Williams

to the

Department of State.

Ackd May 13

Answering Department's instruction no. 781 in regard to preserved fruits.

No. 1875.

U.S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I have the honor to acknowledge the receipt of the Department's instruction number 781, enclosing a copy of its instruction to our Minister at Madrid, against the retroactive construction given by the Regional Governor of this Province to the concession made by the Department to the Spanish Minister at Washington for the imposition here, of duties on american fruits, when preserved in syrup and alcohol, formerly admitted

free

free under paragraph 35
of schedule A of the definitive
agreement, and to say that
having informed the im-
porters of American products,
whose complaint accompanied
my despatch number 1836
of the 7th ultimo, of the position
taken by the Department, that
they have made use of the
fact in a telegram sent
yesterday through the Havana
Chamber of Commerce to its
president, Don Ramon de
Herrera, now in Madrid,
against the demands of the
Regional Governor for the
immediate payment of duties
on all importations made
under the transitory and
definitive agreements prior to
the publication of the Spanish
repertory, here, on the 25/28
of February last. I under-
stand, to-day, that in
consequence

consequence of the efforts
of the president of the said
Chamber of Commerce, that
the Governor General received
a telegram last night from
the Minister of the Colonies,
instructing him to suspend
the collection for the present,
so as to give time for the
Report of the Chamber of Com-
merce of Havana, on the
subject, to reach Madrid.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

No. 1876.

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DEPT OF STATE.

U. S. Consulate General.
Havana, May 4, 1893.

Mr. Williams
to the
Department of State.

Acknd
May 13

General acknowledgment of instructions
from numbers 776 to 787, inclusive.

No. 1876.

U.S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:-

I have the honor to acknowledge the receipt of the Department's instructions numbers 776 to 787, inclusive, of which, numbers 776, 777, 780, 781 and 782, have been reported upon separately.

I am, Sir,
Very respectfully,
Your obedient servant,
Lamm O. Williams,
Consul General.

No. 1877.

U.S. Consulate General.

Havana, May 4, 1893.

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MAY 10 93
DEPT OF STATE.

Mr. Williams

to the

Department of State.

Rec'd May 13

Political condition of Cuba

Termination of the late armed movement at Holguin.

1 Enclosure.

No. 1877.

U.S. Consulate General.
Havana, May 4, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I enclose for the information of the Department a telegram received yesterday from the Military Commandant of the Province of Santiago de Cuba, informing the Governor General of the presentation to the authorities, under the terms of amnesty, of the Sartorios party of armed men. 1/

The conservative influence of the Home Rule Party has been very effective in the termination of this outbreak.

I am,
Sir,

Sir,
Very respectfully,
Your obt. Servant,
Ramm O. Williams,
Consul General.

1 Enclosure
No. 1— Telegram.

Enclosure No. 1.
With Despatch No. 1877.
H A V A N A , May 4 1893.

Translated by Consul General Williams.

From EL PAIS of Havana, May 4, 1893.

FINISH OF THE OUTBREAK.

The Government General has received the following telegram from the Military Commandant of Santiago de Cuba :

"Commandant of Holguin reports Sartorius party "with 29 men has presented itself under the amnesty "at Cuatro Veredas, continuing on to Velasco, their "place of residence, there remaining only Atilano "Cables and two others in search of whom Ricardo "Sartorius has set out.

---------0------

Enclosure No. 1
with Despatch No. 1847
Habana, May 4, 1893

EL PAIS.

4 de Mayo de 1893

FIN DEL ALZAMIENTO.

En el Gobierno General se ha recibido el siguiente telegrama del Comandante militar de Cuba:

Comandante de Holguin participa partida Sartorios con 29 hombres se ha acogido á indulto, en Cuatro Veredas, continuando viaje para Velazco, residencia de aquellos, faltando solo presentacion Atilano Cables y dos más á quienes ha ido á buscar Ricardo Sartorios.

Copy.

No. 1878.

U.S. Consulate General.
Havana, May 5, 1893.

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DEPT OF STATE.

Mr. Williams
to the
Department of State.

File

Answering Department's
instructions Nos 778 and 779.

No. 1878.

U.S. Consulate General.
Havana, May 5, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

With reference to the Department's instructions Nos. 778 and 779 of the 19th ultimo, relating, respectively, to the fine of $1900 imposed by the custom house of Havana on the american schooner "Nelson Bartlett", for a slight error in manifesting certain paving stones brought by her for account of the City Government; and the denial by the Regional Governor of the right of this Consulate General to intervene with the Cuban authorities for the protection

of

of American interests, I have to report in reply that no answer has yet been received from the Governor General to my communication addressed him on these two subjects under date of the 5th ultimo.

About eight days ago I sent to inquire about the matter, and was answered that the reply was then being written and that it would reach me the next day; but not having yet received it, I addressed a B.M. note yesterday to the Secretary General, reminding him that the answer had not yet reached this office. I was again informed, verbally, through the bearer of my note, that it would be sent within three days. As soon as received

it

it will be translated and
forwarded with copy of the
orgiual to the Department.

I am, Sir, very respectfully,
Your obt. servant,
Ramm O. Williams,
Consul General.

Desp.

File
2.10.1

Mr. Strobel

No. 879.

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MAY 12 93
DEP'T OF STATE.

U.S. Consulate General.
Havana, May 6, 1893.

Mr. Williams
to the
Department of State.

Transmitting protest of Mr. C.R. Wickes against appraisement of import duties on plaster received from New York.

2 Enclosures.

No. 1879.

U. S. Consulate General.
Havana, May 6, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir.

In compliance with the Department's telegraphic instruction of June 28th, last, I have presented to the Governor of the Western Region of this Island the protest of Mr. C. R. Wrikes, merchant of this city, against the appraisement made by the custom house of this port on 400 barrels of plaster received from New York by steamers "Yucatan" and "City of Alexandria," which arrived, respectively, on the 7th December, 1892, and 8th February,

last,

last; said appraisement being considered contrary to paragraph 2, Schedule A. of the reciprocity agreement between the United States and Spain. I enclose copy of protest and of communication to the Regional Governor.

1/
2/

I am, Sir,
Very respectfully,
Your obedient Servant,
Ramon O. Williams,
Consul General.

2 Enclosures:
No. 1 - Copy of protest.
1 2 - Mr. Williams to Regional Governor - May 6/98.

EnclosureNo. 1.
With Despatch No. 1849.
H A V A N A , May 6,1893.

Translation. No.44.

C.R.WICKES, merchant of this city, appears before the Consul general of the United States of America in this port and in the best manner says:

That he protests against the appraisement made by the Collector of customs of this port on 300 barrels plaster received from Messrs.Marcial & Co of New York on american steamer Yucatan which arrived in this port on the 7 December,1892, and 100 barrels do. do. per american steamer City of Alexandria,which arrived in this port on the 8 February,1893,owing to the collector of customs considering said goods liable to the payment of duties,while they are free according to table A,par.2 of the reciprocity treaty ruling between Spain and the United States.

That he likewise protests against the double duties or any other charges which this collector of customs may impose on the said goods for having declared them free of duties.

And for further evidence and that this protest have all the necessary effects according to the requisites specified in the telegram dated at washington on the 28th June ultimo addressed by Mr.Wharton,Assistant secretary of State of said Nation to Mr.R.O.Williams,Consul General of same,he presents this protest in this city.

Havana,3 May,1893.

Before me, Signed: C.R.Wickes.
Signed: Ramon O.Williams,
Consul General.

Enclosure nº 1 — Despatch nº 1879 —

Copy. No.44.

Don C.R.WICKES, comerciante de esta plaza comparece ante el Sr.Consul general de los Estados Unidos de America en este puerto y en la mejor forma que proceda:

PROTESTA contra el aforo que se le ha hecho por la aduana de este puerto de los 300 barriles de yeso recibido de los Sres.Marcial y Ca de New York por el vapor americano "Yucatan" entrado en este puerto el dia 7 de Diciembre de 1892 y cien barriles idem,idem, por el vapor americano City of Alexandria entrado en este puerto el dia 8 de febrero de 1893, toda vez que la aduana los considera sujetos al pago de derechos, mientras que deben ser libres por la tabla A, partida 2 del convenio de reciprocidad vigente entre España y los Estados Unidos de America.

Protesta tambien el infrascrito contra los derechos dobles y cualquier otro gravamen que le imponga la aduana de este puerto a causa de haber declarado como libres de derechos los citados efectos.

Y para que conste y esta protesta surta los efectos necesarios segun lo dispuesto en el telegrama fechado en Washington en 28 de junio pdo.de Mr.Wharton, Sub-Secretario de Estado de la misma nacion, le presento en esta ciudad de la Habana a 3 de Mayo de 1893.

Firmado: C.R.Wickes.

Ante mi,
Firmado: Ramon O.williams,

Consul General.

Enclosure No. 2.
With Despatch No. 1879.
H A V A N A , May 6,1893.

Translation.

U.S.Consulate General.

Havana, May 6,1893.

To H.E.the Governor of the Western Region and of the Province of Havana.

Excellency:

In compliance with the instructions of the Honorable Secretary of State of the United States and in accordance with article 19 of the treaty of the 27th of October,1795,between the United States and Spain which grants,by virtue of the most favored nation clause,to the consuls of the United States in the dominions of Spain the same privileges and faculties enjoyed by the consuls of Spain and of other nations in the States of the American Union,and pursuant to the indication of H.E.the Governor General of August 17,1892; I have the honor to present to the consideration of Y.E.the enclosed certified copy of the protest of Mr.C.R.Wickes,merchant of this city,against the appraisement made by the custom house of this port on four hundred barrels plaster received from New York by steamers Yucatan and City of Alexandria,arrived on the 7 December,last,and 8 February,1893,respectively; said appraisement being considered contrary to para graph 2, schedule A of the reciprocity agreement between the United States and Spain.

I am, etc. etc.

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 2
With Despatch No. 1879.
H A V A N A , May 6, 1893.

Copy.

Consulado General de los

Estados Unidos.

Cumpliendo con instrucciones del Honorable secretario de Estado de los Estados Unidos, y de conformidad con el articulo 19 del tratado de 27 de Octubre de 1795 entre los Estados Unidos y España que concede, en virtud de la clausula de la nacion mas favorecida, á los cónsules de los Estados Unidos en los dominios de España iguales privilegios y facultades que los gozados por los cónsules de España y de otras naciones en los Estados de la Union Americana, y siguiendo para el caso la indicacion del Excmo.Sr.Gobernador General de fecha 17 de Agosto de 1892; tengo el honor de presentar á la consideracion y resolucion de V.E. la adjunta copia certificada de la protesta de Don C.R.Wickes, comerciante de esta plaza, contra el aforo hecho por la aduana de este puerto sobre cuatro cientos barriles de yeso recibidos de Nueva York por los vapores "Yucatan" y "City of Alexandria", en 7 de Diciembre ultimo y 8 de febrero del corriente año, respectivamente; por considerar dicho aforo contrario á la tabla A, partida 2 del convenio de reciprocidad entre España y los Estados Unidos.

Dios guarde a V.E.muchos años.

Habana, 6 de Mayo de 1893.

Signed: Ramon O.Williams,
Consul General.

Excmo.Sr.Gobernador de la Region Occidental y de la Provincia de la Habana.

Mr. Strobel

No. 1880.

U.S. Consulate General.
Havana, May 6, 1893.

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DEPT OF STATE

Mr. Williams
to the
Department of State.

Ack'd May 17

In continuation of
despatch 1879.

1 Enclosure.

No. 1880.

U.S. Consulate General.
Havana, May 6, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my previous despatch no. 1879 of this date, relating to the protest of Mr. C.R. Wickes, merchant of this city, against the appraisement made by the custom house of this port on 4500 barrels plaster received from New York by steamers "Yucatan" and "City of Alexandria" arrived, respectively, on the 7th December, 1892, and 8th February, last, I have the honor to inform the Department that under yesterday's date I addressed a note to the Collector of customs, asking

1/ asking him to have the goodness to communicate to me the reasons on which said appraisement is founded for the purpose of transcribing the same to the Department and with the view of enabling it thereby to form a correct judgement as to the merits of the case. As soon as the answer is received it will be translated and forwarded with copy of the original to the Department.

I am, Sir,
Very respectfully,
Your obt. Servant,
Lamm O. Williams,
Consul General.

1 Enclosure:
No 1 - Mr. Williams to Collector
of Customs.

Enclosure No. 1.
With Despatch No. 1880.

H A V A N A , May 6,1893.

Translation.

U.S.Consulate General.

Havana,May 5,1893.

to the Collector of Customs,

Present.

Sir:

In order to be able to inform my Government with the transmission to it of a protest of Mr.C.R.Wickes,merchant of this city,against the appraisement made by that custom house under your worthy charge,on 400 barrels plaster received from New York,I beg you will be pleased to communicate to me the reasons on which said appraisement is being founded.

I am,Sir, etc. etc.

Signed: Ramon C.Williams,

Consul General.

Enclosure No. 1.
With Despatch No.1880.
H A V A N A , May 6,1893.

Copy.

Consulado general de los

Estados Unidos.

Para poder enterar a mi Gobierno juntamente con la trasmision de una protesta del Sr.C.R.Wickes,de este comercio,contra el aforo hecho por esa aduana de su digno cargo sobre 400 barriles de yeso recibidos de Nueva York ,ruego a V.S.se sirva decrime las razones en que se funda el citado aforo.

Dios guarde a V.S.muchos años.

Habana,Mayo 6 de 1893.

Signed: Ramon O.Williams,

Consul General.

Sr.Administrador de la Aduana de la Habana.

No. 1887.

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DEPT OF STATE.

U.S. Consulate General.
Havana, May 8, 1893

Copy to Atty. Gen'l
May 17

Mr. Williams
to the
Department of State.

Criminal case against Henry Hewecker. His trial and sentence.

1 Enclosure.

No. 1881.

U.S. Consulate General.
Havana, May 8, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge receipt of your instruction no. 788 of the 28th ultimo relating to the criminal case against Henry Hewecker, cook of the american schooner "Rebecca J. Moulton," for the shooting of a sailor, in this city, of the Italian bark "Laura", on the night of the 17th January, 1892, and to enclose, with reference to my despatches numbers 1481, 1490 and 1808, the translation of a communication dated the 26th ultimo, with enclosures, received from the

Secretary 1/

Secretary General on the 3d
instant, informing me that
Heinecker was tried in open
court on the 29th of last March,
found guilty, and sentenced
on the first ultimo to two years,
eleven months and eleven days
correctional imprisonment, with
reduction of one half of the time
passed in preventive arrest,
with the accessory penalties of
suspension from all duty and right
of suffrage during imprisonment,
payment of costs and the indem-
nization of two hundred pesetas
and to suffer in defect of
non-payment, one day im-
prisonment for each twelve
and a half pesetas.

I shall now renew my
petition addressed to the Governor
General on May 4, 1892, asking
that on serving out his
sentence here, Heinecker
be

be placed in this City jail
at the orders of this office, to
be sent to the United States
to stand trial there for the
shooting on board of Edward
J. Miller, mate of the american
schooner "Rebecca J. Moulton",
and from which the said
mate died at a hospital
in this City.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramon O. Williams,
Consul General.

1 Enclosure
No. 1 — Secretary General to
Mr. Williams — April 26 —

Enclosure No. 1. 1881.
With Despatch No.
H A V A N A May 8 1893.

~~Translation.~~

Translated by Consul general Williams.

Government General of the Island of Cuba.

Office of the Secretary General,

Section of Grace and Justice,

HAVANA, 26 April, 1893.

To the consul general of the United States.

Sir:

In amplification of my note of the 10th February last, I have the honor to accompany herewith a copy of the communication of the Presidency of the Superior Court sent to the Government General relative to the sentence imposed on Henry Hewecker; which, by order of H.E. the Governor General I transmit to you for its corresponding effects.

God guard you many years,

Signed: Estanislao de Antonio,
Secretary of General Government.

Enclosure No. 1.1/2
With Despatch No. 1881.
HAVANA, May 8, 1893.

~~Translation.~~

Translated by Consul General Williams.

The copy referred to above.

There is a heading which says:

Royal Superior Court of Havana.

R.S.No.893.

"Excellency:

"In amplification of my official note addressed "to Y.E., by this Presidency on the 24th of December "last, relative to the state of the case against "Henry Hewecker, for the discharge of a fire arm, and "infliction of injuries, I have the honor to trans- "cribe for Y.E., the report of the Secretary of the "hall of criminal cases of this Superior Court, "which reads as follows:

"Excellency:

"On the 29th day of last March, the case from "the now abolished court of the East, against Henry "Heweeker for the discharge of a fire arm with in- "fliction of wounds, was tried in open court and "sentence pronounced on the first instant, condemning "him to two years, eleven months and eleven days "correctional imprisonment allowing him half of the "time passed under preventive arrest, with the ac- "cesory penalties of suspension of all duty and "right of suffrage during imprisonment, with payment "of costs and the indemnization of two hundred "pesetas suffering in defect of non-payment of this

"last obligation, one day imprisonment for each
"twelve and a half pesetas. The above being communi-
"cated to Y.E. in compliance with orders. Havana,
"14 April, 1893.

"To H.E. the Governor General:

"I have the honor to transmit the above to
"Y.E., in reply to your note of the 23rd of last
"Novembe-.

Signed: Antonio Romero Torrado,

President of Superior Court.

Rubricated by the Governor General.

Certified copy.

A.el Marques de Gaviria,

Chief of Bureau.

Enclosure No. 1612 1881.
With Despatch No.
H A V A N A , May 8, 1893.

Copy.

Copia que se cita.

Hay un membrete que dice.- Real Audiencia Territorial de la Habana.- Presidencia.-R.S.No.893. Excmo.Sr: Como ampliacion al oficio dirigido á V.E.por esta Presidencia con fecha 24 de Diciembre último relativo al estado de la causa seguida contra Henry Hewecker por disparo de arma de fuego,y lesiones,tengo el honor de transcribir á V.E.lo informado por el Secretario de Sala adscrito á la seccion 1 de la Sala de lo Criminal de esta Audiencia,el cual es como sigue: Excmo.Sr: El dia 29 de Marzo último se celebró el juicio oral de la causa procedente del extinguido juzgado del Este y seguida contra Henry Hewecker por el delito de disparo de arma de fuego y lesiones en la que se dictó sentencia el primero del actual,condenando al referido Mr.Henry Hewecker á la pena de dos años,once meses y once dias de prision correcional con abono de la mitad de la preventiva,accesorias de suspension de todo cargo y derecho de sufragio durante el tiempo de la condena,pago de costas y la indemnizacion de doscientas pesetas sufriendo en defecto de pago de esta última responsabilidad,un dia de prision por cada doce y media pesetas. Lo que tengo la honra de informar á V.E.en cumplimiento de lo mandado. Habana 14 de Abril de 1893. Lo que me complazco en participar á V.E. en contestacion á su atento escrito de 23 de Noviembre último. Dios guarde á V.S.muchos años. Habana 14 de Abril de 1893. Excmo.Sr.-Antonio Romero Torrado.-Rubricado-Excmo.Sr.Gobernador Gral.de esta Isla.- Es copia.

A.El Marques de Gaviria.-Jefe del negociado.

2D ASSISTANT SECRETARY.
Ack. by Number and File.
aab
MAY 16 1893

No. 1882.

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U. S. Consulate General.
Havana, May 9, 1893.

Mr. Williams
to the
Department of State.

Relating to the recent outbreak
at Holguin.

No. 1882.

U. S. Consulate General.
Havana, May 9. 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

I have the honor to enclose in continuation an extract of a letter dated the 5th instant received from our commercial agent Mr. Gibbs at Nuevitas, addressed to him by Mr. J. H. Beebe, our consular agent at Gibara.

"In reference to the movements
" of insurgents, I beg to inform you that
" on the 25th. ultimo some 60 or 80 persons
" belonging to the villages of "Velaso,"
" Purnio, and "Las Cuevas," left their homes
" and proceeded to the woods, most of

"them unarmed, thus creating a
"disturbance which fortunately lasted
"a very short time: as the leaders
"were disappointed on not finding
"more sympathisers to follow them,
"they have presented themselves to the
"authorities, without a single shot
"being fired and the country is at
"present as quiet as ever.

"I think however, that the revolt
"which had no importance has been
"of no material prejudice to this country,
"but morally the damage cannot be
"appreciated on account of its
"credit abroad".

I am, sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.

2D ASSISTANT SECRETARY.
MAY 16 1893

No. 1883.

U.S. Consulate General.
Havana, May 9, 1893.

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MAY 15 93
DEP'T OF STATE.

Mr. Williams
to the
Department of State.

Ack'd May 17

Political condition of Cuba.
Proclamation of the Governor General raising the state of siege of the province of Santiago de Cuba.

1 Enclosure.

No. 1883.

U.S. Consulate General.
Havana, May 9, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to enclose for the information of the Department a printed copy, with translation, of the proclamation issued by the Governor and Captain General of this Island, declaring the termination of the late attempt at insurrection, in the jurisdiction of Holguin and decreeing in consequence:

First:- The raising of the State of siege declared by his proclamation of the 28th ultimo in the province of Santiago de Cuba.

and

Second

Second:- The resumption by the civil and judicial authorities of that province of the functions pertaining to them under the laws.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

1 Enclosure:
No. 1- Proclamation.

Enclosure No. 1 - 1883.
With Despatch No.
H A V A N A , May 9,1893.

Translated by Consul General Williams.

From EL DIARIO DE LA MARINA of Havana, May 9, 1893.

PROCLAMATION.

I, ALEJANDRO RODRIGUEZ ARIAS y RODULFO, Governor and Captain General of the Island of Cuba etc.

The noble and patriotic attitude of the political parties, corporations and the country in general, as likewise the measures taken and the energy demonstrated by the Government of H.M., offering men and every kind of resources to combat quickly the insurrection lately started in the jurisdiction of Colon, have had the effect, unquestionally, of making the deluded men who rose in arms lay them down and return to their places of abode under the amnesty offered them, thus terminating the attempt at insurrection, and desiring that on the landing of the Royal Highness the Infantes Doña Eulalia de Borbon and Don Antonio de Orleans the common laws may be the normal rule throughout the whole Island, I have decreed the following:

Article 1st.- The state of siege declared for the province of Santiago de Cuba, by my proclamation of the 28th ultimo, is hereby raised.

Article 2nd.- The civil and judicial authorities of the said province will resume all the functions conferred on them by the laws.

HAVANA, 8 May, 1893.

ALEJANDRO RODRIGUEZ ARIAS.

Enclosure No. 1
With Despatch No. 1883
Havana, May 9, 1893

DEL
Diario de la Marina.
MARTES 9 DE MAYO DE 1893.

BANDO.

D. Alejandro Rodríguez Arias y Rodulfo, Gobernador y Capitán General de la Isla de Cuba, etc.

La actitud noble y patriótica de los partidos políticos, corporaciones y país en general, así como las medidas tomadas y energía demostrada por el Gobierno de S. M. ofreciendo hombres y toda clase de recursos para combatir prontamente la insurrección iniciada ha poco en la jurisdicción de Holguín, han hecho sin duda que los ilusos que se alzaron en armas, se presenten acogiéndose al indulto con que se les brindó, quedando así terminada la intentona, y queriendo que el régimen normal de las leyes comunes sea el que esté en vigor en toda la Isla al desembarcar en estas hermosas y ricas provincias españolas SS. AA. RR. los Serenísimos Infantes Doña Eulalia de Borbón y Don Antonio de Orleans, he venido en resolver lo siguiente:

Artículo 1º Queda levantado el estado de guerra declarado para la provincia de Santiago de Cuba, por mi bando de 28 de abril último.

Artículo 2º Las autoridades civiles y judiciales de dicha provincia, volverán á entender de todos los que con arreglo á las Leyes les corresponden.—Habana, 8 de mayo de 1893.

Alejandro Rodríguez Arias.

No. 1884.

U. S. Consulate General

Havana, May 10, 1893.

Ans'd May 18

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MAY 17 93
DEPT OF STATE

Mr. Williams,

to the

Department of State.

Information requested by Doctor Bango, of this city, if a picture of Columbus intended for exhibition at the Chicago Exposition has arrived at its destination.

Mr. Curtis says that the picture has been received

No. 1884.

U. S. Consulate General.
Havana, May 10, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

At the request of Doctor Bango, of this city, and to satisfy an enquiry he has addressed me, I have to ask that you be pleased to inform me if a picture of Columbus, intended for the exhibition in the Latin-American division of the Chicago Exposition, and shipped from here on the 11th of March last, in the S.S. "Yumuri," addressed to Mr. William E. Curtis, chief of the Bureau of American Republics, care of Mr. J. P. Rossa, U.S. Despatch agent, New York, has arrived at its destination.

I am, sir,

Very respectfully,

Your obedient servant,

Ramon O. Williams,

Consul General.

wk.

Mr. Strobel

No. 1885.

U.S. Consulate General.
Havana, May 12, 1893.

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DEPT OF STATE.

Mr. Williams
to the
Department of State.

Aug 8
May 18, '93

Protest of Messrs. C. Torre & Co against the appraisement of export duties on turpentine received from New York.

2 Enclosures.

No. 1885.

U. S. Consulate General.
Havana, May 12, 1893

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In compliance with the Department's telegraphic instruction of June 28th, last, I have presented to the Governor of the Western Region of this Island the protest of Mr. Claudio Torre Barturen of the firm of Messrs. C. Torre & Co of this city, against the appraisement made by the custom house of this port on one hundred cases turpentine received from New York per steamers "Holstein" and "City of Alexandria," which arrived, respectively, on the

27th

27th August, 1892, and 6th March ultimo; said appraisement being considered contrary to paragraph 6, Schedule A. of the reciprocity agreement between the United States and Spain. I
1/ enclose copy of protest and
2/ of communication to Regional Governor.

I am, Sir,
Very respectfully,
Your obt. servant
Ramon O. Williams
Consular General.

2 Enclosures:
No. 1 - Protest.
" 2 - Mr. Williams to Regional Governor.

Enclosure No. 1.
With despatch No. 1885.
H A V A N A , May 12, 1893.

Translation. No.45.

CLAUDIO TORRE BARTMEU, Esq. partner of the firm of C. Torre & Co, merchants of this city, appears before the Consul General of the United States of America in this port, and in the best manner says:

That he protests against the appraisement made by the custom house of this port on forty cases turpentine received from New York per steamer "Holstein" which arrived in this port on 27th August, 1892, and 60 cases turpentine per american steamer City of Alexandria which arrived in this port on 6th March, 1893, owing to this collector of customs considering said goods liable to the payment of duties while they are free according to table A, par.6 of the treaty of reciprocity ruling between Spain and the United States of America.

That he likewise protests against the double duties or any other charges which this collector of customs may impose on the said goods for having declared them free of duties.

And for further evidence and that the protest have all the necessary effects according to the requisites specified in the telegram dated in Washington the 28th June ultimo addressed by Mr. Wharton, Assistant secretary of State of said nation to Mr. R.O. Williams, Consul General of the same, he presents this protest in this city.

Havana , May 6, 1893.

Before me, Signed: Claudio Torre.
Signed: Ramon O. Williams,
Consul GeneraL.

Enclosure nº 1 — Despatch nº 1885 —

Copia. No.45.

Don CLAUDIO TORRE BARTMEU, de la sociedad de C.Torre y Ca comerciante de esta plaza, comparece ante el Sr.Consul general de los Estados Unidos de America en este puerto, y en la mejor forma que proceda:

PROTESTA contra el aforo que se ha hecho por la aduana de este puerto, de 40 cajas marca C.T.x C. y 60 cajas marca 198 , llegados á su consignacion procedentes de New York, por vapores "Holstein" y "City of Alexandria" en 27 de Agosto de 1892 y 6 Marzo ultimo, que manifestamos "aguarrás" como asi lo son, segun hojas numeros 6684 y 32.507 por la partida 6 de la Tabla A, de conformidad con el arancel vigente de aduanas, en concordancia con el tratado que nuestro Gobierno celebro con el que V. representa.

La aduana de este puerto, lo considera sujeto al pago de derechos mientras que deben ser libres por la tabla y partida indicada.

Protesta tambien el infrascrito contra los derechos dobles y cualquier otro gravámen que le imponga la aduana de este puerto, á causa de haber declarado como libre de derecho el articulo citado .

Y para que conste y esta protesta surta los efectos necesarios segun lo dispuesto en el telegrama fechado en Washington en 28 de Junio pasado, de Mr.Wharton, Sub-Secretario de Estado de la misma nacion a Mr.Ramon O.Williams, Consul General de la misma, la presento en esta ciudad de la Habana a 6 de Mayo de 1893.

Firmado: Claudio Torre.

Ante mi,
Firmado: Ramon O.Williams,

Consul General.

Enclosure No. 2. 1885.
With Despatch No. 2
H A V A N A , May 12, 1893.

Translation. U.S.Consulate General.

Havana, May 10, 1893.

To H.E. the Governor of the Western Region
and of the Province of Havana.

Excellency:

In compliance with the instructions of the Honorable Secretary of State of the United States and in accordance with article 19 of the treaty of the 27th October, 1795, between the United States and Spain which grants, by virtue of the most favored nation clause, to the consuls of the United States in the dominions of Spain the same privileges and faculties enjoyed by the consuls of Spain and of other nations in the States of the American Union, and pursuant to the indication of H.E. the Governor General of August 17, 1892; I have the honor to present to the consideration of Y.E. the enclosed certified copy of the protest of Mr. Claudio Torre, of the firm of Claudio Torre y Ca, merchants of this city, against the appraisement made by the custom house of this port on one hundred barrels turpentine received from New York by steamers "Holstein" and "City of Alexandria", on the 27 August, 1892; and the 6th of March, 1893, respectively; I said appraisement being considered contrary to paragraph 6, schedule A of the reciprocity agreement between Spain and the United States.

I am, Sir, etc. etc.

Signed: Ramon O. Williams,
Consul General.

Enclosure No. 2.
With Despatch No. 1885.
H A V A N A , May 12, 1893.

Copy.

Consulado General de los
Estados Unidos.- Habana.

Cumpliendo con instrucciones del Honorable Secretario de Estado de los Estados Unidos, y de conformidad con el articulo 19 del Tratado de Octubre de 1795 entre los Estados Unidos y España que concede, en virtud de la clausula de la nacion mas favorecida, á los consules de los Estados Unidos en los dominios de España iguales privilegios y facultades que los gozados por los cónsules de España y de otras naciones en los Estados de la Union Americana, y siguiendo para el caso la indicacion del Excmo.Sr.Gobernador General de fecha 17 de Agosto de 1892; tengo el honor de presentar á la consideracion y resolucion de V.E.la adjunta copia certificada de la protesta de D.Claudio Torre Bartureu, de la sociedad de los Sres.Claudio Torre y Ca, comerciantes de esta plaza, contra el aforo hecho por la aduana de este puerto sobre cien cajas "aguarrás" recibidas de New York por los vapores "Holstein" y "City of Alexandria" en 27 de Agosto de 1892 y 6 de Marzo ultimo, respectivamente; por considerar dicho aforo contrario á la tabla A, partida 6 del convenio de reciprocidad entre España y los Estados Unidos.

Dios guarde á V.E.muchos años.

Habana, Mayo 10, 1893.

Signed: Ramon O.Williams,
Consul General.

Excmo.Sr.Gobernador de la Region Occidental
y de la Provincia de la Habana.

Mr. Strobel

No. 1886.

U.S. Consulate General.
Havana, 12 May, 1893.

MAY 17 93
DEPT OF STATE

Mr Williams
to the
Department of State.

Ans'd May 19 '93

Complaint of Messrs E. Aguilera & C against the custom house of this port.

1 Enclosure

No. 1886.

U.S. Consulate General.
Havana, 12 May, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

I beg to call the attention of the Department to the enclosed copy of a letter received to-day from Messrs. E. Aguilera C, importers of canned meats from the United States, complaining that the custom house of this port claims that said canned meats appertain to Schedule C, No. 59, of the reciprocity agreement between the United States and Spain, alleging that they are "condimented."

I also forward

by

By the same pouch. ~~[illegible]~~
for the convenience of the
Department in forming a
judgement in this case,
samples of the meats referred
to in said letter.

I am, Sir,
Very respectfully,
Your obt. servant,
Lamon V. Williams,
Consul General.

1 Enclosure.
No 1 - Mss. Edgulera & to
Mr. Williams.

Enclosure No.1.
With Despatch No. 1866.
H A V A N A, May 12,1893.

Copy.

Havana,12 May,1893.

Mr.Ramon O.Williams,

United States Consul General,

Havana.

Sir:

We,the undersigned,merchants,doing business at Oficios street No.29,are importers of canned meats from the United states,and owing to said importations have arisen differences with this custom house,which claims that the said canned meats (samples of which we remit to you) appertain to schedule C,No.59 of the treaty,they alleging that said meats are "condimented."

We demur to the payment of the duties which they claim as due,because in our estimation the said canned meats are free of duties,coming clearly under schedule A,No.29,of the treaty,and also as per the repertory, there expressed in three different places under the heading : MEATS. Their claim of condiments (salt is the only condiment used) we consider a chidish quibble, yet as it stands,we appeal to you for an opinion on the subject,based in view of samples,so that in case that your opinion coincides with ours,we may protest,and thus with greater confidence in our right better defend the interests of the American canners and our interests.

Thanking you in advance for the attention,which no doubt,our appeal will meet at your hands,we remain,Sir,

Respectfully yours,
Signed: E.Aguilera & Co.

Secretary of State.
MAY 15 1893

30 Cort

TELEGRAM RECEIVED.

From Havana

May 15, 1893.

Received 3:10 P.M.

Hon Walter Q. Gresham,
Secretary of State
Washington D.C.

The Secretary General informs me that their Royal Highnesses The Infantes will sail this five thirty for New York

Williams,
Consul General.

FORM No. 3.

CABLE MESSAGE.

THE WESTERN UNION TELEGRAPH COMPANY

Secretary of State. MAY 15 1893

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, and are subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following message.

THOS. T. ECKERT, General Manager. NORVIN GREEN, President.

TWO AMERICAN CABLES FROM NEW YORK TO GREAT BRITAIN.
CONNECTS ALSO WITH FOUR ANGLO-AMERICAN AND ONE DIRECT U. S. ATLANTIC CABLES.
DIRECT CABLE COMMUNICATION WITH GERMANY AND FRANCE.
CABLE CONNECTION WITH CUBA, WEST INDIES, MEXICO AND CENTRAL AND SOUTH AMERICA.
MESSAGES SENT TO, AND RECEIVED FROM, ALL PARTS OF THE WORLD.

OFFICES IN AMERICA:
All Offices (20,000) of the Western Union Telegraph Company and its Connections.

OFFICES IN GREAT BRITAIN:
LONDON: No. 21 Royal Exchange, E. C. No. 109 Fenchurch Street, E. C.
LIVERPOOL: 45 Exchange Buildings. GLASGOW: No. 29 Gordon Street. BRISTOL: Backhall Chambers.

NUMBER	SENT BY	REC'D BY	No. OF WORDS.	FROM
364 My	Oy	Gx	52 Govt	Havana

RECEIVED at Washington 7.24 pm May 15 1893

Hon walter Q Gresham Secretary of State
Washington

he infantes have embarked princess Eulalia Goes delighted on her trip to united states telling me on wishing her goodbye and trusting she would enjoy her trip in america that she was sure to for she already felt quite american. — Williams Consul General

TERMS AND CONDITIONS.

To guard against mistakes on the lines of this Company, the sender of every message should order it repeated; that is, telegraphed back from the terminus of said lines to the Originating Office. For such repeating, the sender will be charged in addition, one-half the usual tolls of this Company on that portion of its lines over which such message passes.

This Company will not assume any responsibility in respect to any Message beyond the terminus of its own lines; and it is agreed between the sender of the following Message and this Company, that said Company shall not be liable for mistakes or delays in transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any unrepeated message, beyond the amount of that portion of the charge which may or shall accrue to this Company out of the amount received from the sender for this, and the other companies, by whose lines such message may pass to reach its destination; and that this Company shall not be liable for mistakes in the transmission or delivery, or for non-delivery to the next connecting Telegraph Company, of any repeated message, beyond fifty times the extra sum received by this Company from the sender for repeating such message over its own lines; and that this Company shall not be liable in any case for delays arising from interruptions in the workings of its lines, nor for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company to reach its destination.

This Company is not to be liable for damages in any case where the claim is not presented in writing within thirty days after the sending of the message.

2D ASSISTANT SECRETARY.
Ack by subject & file.
aab
MAY 25 1893

Acknd. May 26th, 1893. H.

No. 1884.

INDEX BUREAU
RECEIVED
MAY 24 93
DEPT OF STATE.

U. S. Consulate General.
Havana, May 16, 1893.

Mr. Williams,
to the
Department of State,

Relating to the recent outbreak at Holguin.

No. 1887.

U. S. Consulate General.
Havana, May 16, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:—

I have the honor to copy in continuation a letter received from Mr. Gibbs, our Commercial Agent at Nuevitas, in regard to the recent outbreak at Holguin.

U. S. Commercial Agency,
Nuevitas, May 12, 1893.

Ramon O. Williams, Esq,
United States Consul General,
Havana.

"Sir:—

"Sir:—

" Since my communication
" of 6th. instant I have received
" information from trustworthy
" sources which my long residence
" in this part of the Island
" and a thorough acquaintance
" with all of the leading Cubans
" of this Province: autonomists,
" annexationists, independents
" and conservatives, convinces
" me there is no fear or thought
" of any insurrectionary
" movement here. The news
" of the movement at Holguin
" had a very depressing effect
" on all and was greatly
" regretted, as there is no
" organization or means to
" carry on a revolution and
" any attempt at present would
" be very injurious to Cuban
" interests and a failure with
" ruin for all."

" Your letter of 9th instant

received"

"Your obedient servant,

Signed = Richard Gibbs,

Commercial Agent,"

I am, sir,

Very respectfully,

Your obedient servant,

Ramon O. Williams,

Consul General.

3RD ASSISTANT SECRETARY
File
MAY 26 1893

Mr. Strobel

No. 1888.

U.S. Consulate General.
Havana, May 16, 1893.

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RECEIVED
MAY 24 93
DEPT OF STATE

Mr. Williams
to the
Department of State.

Ackd May 27

Economic condition of Cuba.

1 Enclosure.

No. 1888.

U.S. Consulate General.
Havana, May 16, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

In continuation of my despatch no. 1865 I have the honor to enclose for the information of the Department a translation of an article extracted from El Pais, the central organ of the home rule party of this country, which I consider will be interesting, by reason of its correct exposition of the opinion universally entertained here by the planting and commercial classes, with regard to the propriety on the part of the Spanish government

1/

to

to maintain harmonious commercial relations with the United States, through the strict fulfillment of the present reciprocity agreement between the two governments for the islands of Cuba and Porto Rico, these two islands, like all the other West Indie islands, as well as the Sandwich islands, being entirely dependent on the market of the United States for the vent of their products.

I am, Sir,
Very respectfully,
Your obt. Servant,
Ramm O. Williams,
Consul General.

1 Enclosure:
No. 1 - Slip and translation as stated.

Enclosure No. 1.
With Despatch No. 1888.
H A V A N A , May 16, 1893.

Translated by Consul General Williams.

From EL PAIS of Havana, May 10, 1893.

THE RECIPROCITY AGREEMENT.

The cable again announces that President Cleveland is about to revoke the reciprocity agreement which regulates the commercial relations of this Island to the United states. And we have again to observe, on our part, that in accordance with the understanding between the governments of Spain and of the Great Republic, the President cannot, alone, as clearly shown from the notes quoted in our previous article, revoke the agreement, which must, therefore, continue in force so long as both Executives do not mutually decide otherwise, or that the Legislative Power of either of the two nations, does not repeal it by the exercise of a sovereign right, in accordance with the reservations expressed by each on declining to assign any fixed term for the duration of the agreement.

But the President of the United States, as we also took care to advert, can by himself, in the same manner as other Executives, in analogous cases, protest against the direct and indirect violations of the agreement, and in case of not obtaining ample reparation, he can, also, adopt such measures as he may believe best for the interests of his country.

On pointing out this contingency, in our article above alluded to, we reminded our readers that under similar circumstances in 1885, Mr. Cleveland, President then,

as now, of the neighboring Republic, gave us a sample of his mettle, as well as of his very special manner of cutting diplomatic knots, by his proclamation suspending, much to the confusion of our bureaucrats then complacently engaged in weaving puerile interpretations, the reciprocity agreement of 1884, and restoring the ten per cent retaliatory duties on the products of Cuba and Porto Rico when carried to the United states in spanish vessels. This measure of President Cleveland produced the best possible effect for his country, for from the clamors that went up from our Corporations and other centres of Cuban opinion, to which our party prudently lent its support, as explained at the time, in favor of the prestige of our government, when, in a sudden emergency, it had to give the fullest satisfaction to the United states, through the negotiation of another agreement, of indefinite term, in which it yielded the issue raised as to whether the products of other countries coming to Cuba from the United States in American vessels were to pay no more duties than when the same products were brought from the United states in Spanish vessels, the question having been finally settled in accordance with the interpretation of the Government of the United States. We believed and believe it well to bring this event to mind to the end that new conflicts may be avoided, and that we may not have again to pass under the caudine forks.

Our manner of appreciating the possible attitude of the present Administration of the United States must be correct, for the leading newspapers of New York take the same view of the question: THE NEW YORK TRIBUNE, THE

EVENING POST and its weekly edition THE NATION etc. As samples, we quote from THE TRIBUNE and THE NATION, these two journals being respectively the best representatives of protection and free trade opinions, the one an opponent and the other a supporter of Mr. Cleveland's Administration.

The article of THE NEW YORK TRIBUNE coincides perfectly, as our readers are going to see, with the one we published some days ago in THE PAIS. It says:

"The rumors from Washington relative to the pur-
"pose of the Government to put an end to the trea-
"ties of reciprocity with Brazil and Spain, are evi-
"dently premature. The agreements are based on the
"tariff law of 1890, and until Congress decides to re-
"peal or revise that law, the Executive is under the
"constitutional obligation to carry out the policy
" of reciprocity. What probably has given rise to
"these rumors, is the necessity of exercising a di-
"plomatic pressure on Spain and Brazil with the
"view of compelling them to comply with the obliga-
"tions that those treaties impose on them. Presi-
"dent Cleveland made a most successful experiment
"of this kind during his first presidential term.
"Spain violated the agreement regarding the equality
"of flags in Cuban waters. A proclamation of the
"Executive brought the Madrid government to its
"senses. This was one of the most worthy diploma-
"tic acts of the first term of the President. A
"demonstration of the same character will likely be
"needed to enforce the strict fulfillment of the con-

"ditions agreed upon. But this a very different "thing from that of abrogating a treaty based on "the laws of Congress.

"The function of revising and repealing tariff "belongs, undoubtedly, to Congress. It is not one of "the prerogatives of the Executive. Congress has "prescribed the condition for the free entrance of "sugar, molasses, coffee and hides. The President by "virtue of the Aldrich amendment was authorized to "decide if the conditions of our foreign trade were "reciprocally just and equal; but he cannot at his "pleasure restore the duties on sugar and coffee "but in accordance with the limits prescribed by Con- "gress. With respect to Cuba an emphatic protest "against the imposition of duties not authorized "by the repertory of articles comprised in the sce- "dules of the commercial arrangement, will be suf- "ficient to remove all grounds of complaint. The "President would assume a serious responsibility "if he ventured to revoke a treaty which ostensibly "secures for the exports of the United States to the "Spanish west Indies an equal and reciprocal treat- "ment, in accordance with the resolution of Congress!

Also, THE NATION, a free trade journal devoted to Mr. Cleveland, and notable for its campaign against the Mac Kinley bill and the reciprocity policy of Mr. Blaine, which proves it is to be above suspicion, spoke in its issue of the 27th of April in the following terms, the seriousness of which we cannot too much enhance:

"We are glad to know that the Department of "State has started an investigation in regard to the "working of the several reciprocity agreements, and "feel assured that Secretary Gresham has already "found out that in reciprocity there is much that is "not reciprocal. For some time past the merchants "doing business with Cuba and Porto Rico have known "that the new tariff legislation of those islands "was shaped with the deliberate intention of defeating "certain advantages that the american exporters "believed themselves entitled to under the treaty. "This was done by the very simple means of imposing "enormous duties on certain articles, so that in "practice they continued to be prohibitive, and the "spanish monopoly remained intact, notwithstanding "the reduction of 25 and 50 per cent granted to "american products under the agreement with Spain."

This last fact of which we have repeatedly treated of in proper season, showing that such proceeding is in reality a vulgar artifice intended to render illusory many of the advantages our neighbors had thought they had obtained, was, indeed, a most imprudent undertaking, because calculated to move Mr. Cleveland to the execution of another diplomatic feat like the one which gained him so much celebrity in 1886. Should this take place again it will not be because we have been wanting either in forewarnings or advise. The commercial dependence of Cuba on the United States is now so complete that no sensible person can contemplate such an event without deep alarm. Inter-

national commercial agreements, should be well studied beforehand; they should be meditated on seriously and dispassionately by their negotiators, in order to not enter into obligations prejudicial to the moral and material interests of the Nation they represent. But when an instrument of the kind is once signed by the plenipotentiaries, the most elementary foresight and self respect, dictate the siding with one of these two solutions: either rescind the agreement or resolutely comply with it. In this order of things more than in all others, nothing is more true than the celebrated maxim of George Washington (Benjamin Franklin): HONESTY IS THE BEST POLICY.

The worst of the worst, however, is to incur in the fault, which in our language is designated by a graphic phrase now made almost too vulgar, since taken by Don Juan Valera, as the title of one of his most artistic novels and which is very apropos in this case, that of being: TOO SMART.

No. 1889.

U.S. Consulate General
Havana, May 17, 1893.

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RECEIVED
MAY 23 93
DEPT OF STATE.

Mr. Williams

to the

Department of State.

& file

In regard to an attachment imposed by the Collector of Arrears on property of Messrs. Lawton Brothers for fines alleged to have been incurred eighteen years ago by the american steamers "Tappahannock" and "Margaret".

2 Enclosures.

No. 1889.

U.S. Consulate General.
Havana, May 17, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

With reference to my despatches nos 1820, 1834 and 1872 relating to an attachment placed by the Collector of Arrears on 600 bags of flour belonging to Messrs. Lawton Brothers for fines aggregating $850 alleged to have been incurred eighteen years ago by the american steamers "Tappahannock" and "Margaret," I now beg to enclose for the information of the Department copy and translation of a note received to-day from the

1/2

the Secretary General, stating that the attachment was raised by order of the Governor General, who has also requested the proceedings for transmission to the Council of Administration for its opinion on the subject, but that they have not yet been received from the Regional Governor.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramm O. Williams,
Consul General.

2 Enclosure:
No. 1 - B. Sill note from Secretary Genl.
" 2 - Note

Enclosure No.1.
With Despatch No.1889.
H A V A N A, May 17, 1893.

Translated by Consul General Williams.

The Secretary General of the General Government offers his respects to the Consul General of the United States and has the honor to enclose him a note sent by the Section of Arrears referring to the affair treated in his attentive b.l.m. of the 8th instant.

ESTANISLAO de ANTONIO

avails himself of this opportunity to reiterate to Mr. RAMON O.WILLIAMS the sentiments of his appreciation and distinguished consideration.

HAVANA, 16 May, 1893.

Enclosure No.1.
With Despatch No.1889.
H A V A N A , May 17,1893.

Copy.

El Secretario General del Gobierno General de la Isla de Cuba B.L.M. al Sr.Consul General de los Estados Unidos de America y tiene el honor de incluirle una nota que ha enviado la Seccion de Atrasos referente al asunto de que trata su atento b.l.m. del dia 8 del actual.

ESTANISLAO de ANTONIO

aprovecha esta oportunidad para reiterar al Sr.D.RAMON O. WILLIAMS los sentimientos de su aprecio y distinguida consideracion.

HABANA,16 de Mayo de 1893.

Enclosure No.2.
With Despatch No.1889.
H A V A N A , May 17,1893.

Translated by Consul General Williams.

On the 27th of May the Governor of Havana was informed of the resolution of H.E.the Governor General ordering the raising of the attachment on 600 bags of flour of Messrs.Lawton Bros.for the collection of the fines imposed on the american steamers "Tappahanock" and "Margaret". The proceedings in the case were also requested without the Governor having as yet replied.

Under this date,the 16 May,the Governor has been reminded to send the proceedings.

Before the 27th of March the order was given for the reference of the proceedings to the Council of Administration,which has not yet been done because they are still in the possession of the Regional Governor.

Enclosure No.2.
With Despatch No.1889.
H A V A N A , May 17,1893.

Copy.

En 27 de Marzo se comunico al Gobernador de la Habana el acuerdo de S.E.ordenando que se levante el embargo de 600 sacos de harina,hecho a los Sres.Lawton Hermanos para el cobro de las multas impuestas a los vapores americanos "Tappahannock" y "Margaret". Tambien se pidio expediente diligenciado sin que hasta la fecha haya contestado el Gobernador.

Con esta fecha,16 de Mayo,se dirige recordatorio al Gobernador para que remita el expediente.

Esta acordado con anterioridad al 27 de Marzo que pase el expediente a informe del Consejo de Administracion,no habiendose mandado ya por faltar el expediente que esta en poder del Gobernador Regional.

Navy cert. register

No. 1890.

U.S. Consulate General
Havana May 18 93

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RECEIVED
MAY 24 93
DEPT OF STATE

Mr. Williams
to the
Dept of State.

Forwarding one half cancelled register of the "Robert E. Clark" issued this day, to a Spanish subject.

Inclosure

No 1890.

U.S. Consulate General
Havana, May 16th 1893.

Hon: Josiah Quincy
Assistant Secretary of State,
Washington.
D.C.

Sir:

The American Schr "Robert J. Clark", having been this day transferred to a Spanish subject, and flag changed, I herewith forward to the Department to be sent to the Treasury, the one-half duly cancelled register of said vessel.

I am, Sir,
Very respectfully
Your Obedient Servant,
Thomas O. Williams,
Consul General

1/x

One half cancelled
Register.

Dr. Strobel

No. 1891.

U.S. Consulate General.
Havana, May 19, 1893.

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RECEIVED
MAY 24 93
DEPT OF STATE

Ackd May 27

Mr. Williams
to the
Department of State.

Economic condition of Cuba.

1 Enclosure.

No. 1891.

U.S. Consulate General.
Havana, May 19, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I beg to submit for the information of the Department the translation of an article 1/ taken from El Pais, the organ of the home rule party of this country, published the 17th instant, on the apprehended revocation by the President of the reciprocity treaty between the United States and Spain.

I am, Sir,
Very respectfully,
Your obt. servant,
Ramon O. Williams,
Consul General.

1/ Enclosure.-

Enclosure No.1.
With Despatch No.1891.
H A V A N A , May 19 1893.

Translated by Consul General Williams.

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From EL PAIS of Havana, May 17, 1893.

ALARM.

In the present economic condition of this Island, any change proposed in our commercial system, is the cause of deep alarm; and hence the anxiety awakened here, every time that news arrives of the purpose of President Cleveland to revoke the commercial agreement now existing between the United States and Spain, and enforced on us by the change effected under the Mac Kinley bill in the commercial policy of that country.

We have on previous occasions tried to tranquilize the fears of the many persons who, whenever the news arrives, anxiously ask the question: will the treaty with the United States be revoked?

We have endeavored to impart to them the conviction that we ourselves entertain upon the subject; that is, that as the repeal must be enacted by the legislative power of either the one or of the other country, or be terminated by the mutual consent of both executive powers; the agreement will not therefore end by a separate act of either one of the two executives; but it is so much insisted on that the American government is resolved on revoking the agreement, and at the same time the action of our Government is so much mistrusted, that the alarm, in consequence, still continues without abatement.

Indeed, there are good reasons to doubt of the intentions of our Government, for it is well known that it was forced to enter into the agreement, with great sacrifice of the peninsular commercial interests, in order to save this Island from the economic crisis brought on us by the Mac Kinley bill, and to stave off the overwhelming catastrophe which otherwise would have overtaken us.

The same feeling of reluctance with which our Government yielded to the acceptance of the treaty, now disposes it to look upon the results as such as not constituting a stable economic situation, but rather as producing a precarious one, that ought to be turned in favor of the agricultural and manufactured products of the mother-country.

In truth, as discernible from the published telegrams, the news from the United States regarding the cessation of the agreement, is received in Spain with a feeling directly opposite to the one aroused here, - being received there with joy, while here it produces alarm, and meantime the representatives sent from the mother-country to the colony, continue, systematically, to interpret the agreement, in the manner most disposed to irritate and induce our neighbors to annul it, rather than engage them to its prolongation by a just interpretation.

From what we have narrated above, it is easy to see that what the Island of Cuba needs for the welfare of its inhabitants, is a sound and stable economic basis, to be secured through a settled commercial policy, and a tariff for revenue only; treating all nations alike, and doing

away with the present system of partial protection imposed on us for the exclusive benefit of the mother-country, and which sooner or later must bring about the ruin of our sugar industry; being besides considered by our neighbors as an ingenious way of bilking them of their rights secured under the reciprocity agreement. From the first day of the organization of our party (home rule) we have advocated the freedom of trade for this Island. Under the shelter of such a system, our sugar industry can go on developing itself without the fear of reprisals from the United States, or of the cupidity of our fellow citizens in the mother-country. So long as this principle is not adopted, the inordinate greed of the Peninsular monopolists of Cuban trade, must continue to incite the United States to teach us reason through the bitter experience of an overwhelming tariff war.

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No. 1892.

U. S. Consulate General.
Havana, May 19, 1893.

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RECEIVED
MAY 24 93
DEPT OF STATE

Ans. & sent May 25

Mr. Williams
to the
Department of State.

Request of Mr. Dickey, commercial agent at Bahaeon, for further supply of blank bills of health and a copy of the Act of February 15, 1893.

No. 1892.

U. S. Consulate General.
Havana, May 19. 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:

I have received a letter from the U. S. Commercial Agent at Baracoa, acknowledging the receipt from this consulate general of 200 blank bills of health founded according to the recently prescribed form, but requesting that a further supply be sent him, as from one to two steamers daily are cleared from that port during the fruit season.

Mr. Dickey further states that he has not yet received a copy of the Act of February 15, 1893, and also inquiries regarding the amount

of extra charges the steamers are required to pay, and if the certificate of the Doctor of the Port is required.

I would respectfully suggest that the Department request of the Treasury Department that a sufficient number of blank forms for bills of health be sent to him direct with several copies of the Act referred to, and also that his inquiries about extra charges be answered by the Department.

I am, Sir,
Very respectfully,
Your obedient servant.
Ramon O. Williams,
Consul General.

No. 1893.

U.S. Consulate General,
Havana, May 22, 1893.

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MAY 31 93
DEPT OF STATE

Mr. Williams
to the
Department of State.

Ack'd
copy to Hadden
June 2 '93

Acknowledging receipt of the Department's instruction No. 793 relating to the request of Mr. James C. Hatten of New York.

No. 893.

U.S. Consulate General.
Havana, May 22, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 793 relating to the request of Mr. James C. Hadden of New York, and to inform the Department that having ascertained that Mr. Bastarrechea of this city was the consignee of the goods referred to in said instruction, I sent a clerk three times to his office, and having found him once, Mr. Bastarrechea replied verbally and informally as

as follows:

That in the month of October, 1892, he purchased from Mr. James C. Hadden through his agents in New York, Messrs L. A. Tussdorf & C, fifty cases of turpentine; that his said agents shipped the same by steamer 'Tantallon'; that on arrival here Mr. Bastarrachea sold the said fifty cases of turpentine to Messrs. Azpuru & C of this City; that Messrs. Azpuru & C made the entry of the goods at the custom house and upon discharging the cases on the wharf they found that they did not contain turpentine, but upon their analysis a mixture of petroleum and benzine; and that, in consequence, they were rejected by Mess. Azpuru & C; that the custom house appraised

the

the goods as petroleum;
charging, therefore, higher duties
than on turpentine; and
imposed an extra duty
as fine, for having declared
the goods as turpentine
none of which were, however,
paid; that, then, Mr. Bas-
tarrechea took charge of
said goods; and that
Messrs. Azpuru & C, having
signed the custom house
entry, made a protest at the
custom house against the
appraisement, the cases having
been left at the wharf, pending
the resolution of the protest,
until last January or
February when by order of
the customs authorities Mr.
Bastarrechea took them
away; also, that the
contents having much
evaporated he deposited
them at a hardware store
in

in Galiano Street, this city. where they now are in a damaged state; because of which, he adds, it would be difficult to sell them at scarcely any price.

For the further information of Mr. Hadden, I would report that when this office is called on to take evidence to be used in suits before the courts of the United States, that it is not usual for it to proceed ex parte but under the authority of a commission issued ad hoc by a competent court, giving the names of the witnesses, and the questions and counter questions to be answered, all properly formulated and consented to by the plaintiff and defendant. Also, in case he should

determine

determine to bring suit
against the parties holding
the goods in Havana, that
his right of prosecution is
secured before the courts of
this country under article
20 of the treaty of 1795,
between the United States
and Spain.

I am, Sir,
Very respectfully,
Your obt. Servant,
Thomas O. Williams Jr.
Consul General.

Mr. Strobel

3RD ASSISTANT SECRETARY.
File
JUN 1 1893

No. 1894.

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MAY 31 93
DEPT OF STATE

U.S. Consulate General.
Havana, May 23, 1893.

Mr. Williams
to the
Department of State.

Rules to be observed in collecting the impost on sugars in this Island.

1 Enclosure.

No. 1894.

U. S. Consulate General.
Havana, May 23, 1895.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir:

Referring to my despatch
no. 1777 of the 4th. of January
last, relating to the tax
imposed on Sugar in this
Island, I now have the
honor to enclose for the
information of the Department
a printed copy, and trans-
lation, of the Rules, dated
the 16th. instant, ordered
to be observed by the Governor
General for the removal of
certain hindrances to the
traffic of Sugars, resulting
from the application of the
Instruction

Instruction, issued on the 2d. of last December, copy and translation of which accompanied my aforesaid despatch.

I am, Sir,
Very respectfully,
Your obt. servant,
Pierce O. Williams,
Consul General.

1 Enclosure:
No. 1 – Copy and translation as stated.

Enclosure No. 1.
With Despatch No. 1894.
H A V A N A , May 23, 1893.

Translated by Consul General Williams.

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From THE GAZETTE of Havana, May 20, 1893.

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CENTRAL SECTION OF THE TREASURY.

In the investigation instituted because of the representation of the Board of Sugar Planters and Agriculturists complaining of the inconveniences resulting from the present manner of carrying out the Regulation of the 2 December for the collection of the impost on sugar.

H.E. the Governor General, after hearing the opinion of the Central Section of the Treasury and inspired by the desire to harmonize as far as possible the interests of the State with those of the tax payers, has been pleased to dictate the following rules which are to govern from the present date, with reservation of their approval by the Government of H.M. (w.G.g.)

Rule 1. Given the rates of exaction fixed in article 3 of the Regulation of the 2 of December last, and in conformity with the correct meaning of said article, it is to be understood that the impost has only to be paid once, and that sugars that have already paid five cents as raw or refining, will again pay on being refined another five cents thereby completing the rate fixed on refined sugars, and those that had before paid the ten cents for each 100 kilograms will not pay again.

Second. In an analogous manner as ordered with respect to the owners of ware houses in article 7 of the

aforesaid Regulation, the owners or managers of sugar refineries will not permit the delivery of the article without the previous exhibition of the documents proving the payment of the impost.

Third. The owners and managers of refineries and of plantations or stores, will send a statement of every lot of sugar leaving the factory or establishment, which statement will be extended in accordance with form No.1 herewith accompanying.

Fourth. In their turn the owners will furnish their buyers with a partial statement according to form No.2, and the latter, in the succesive sales made, will also issue another partial statement according to form No.3.

Fifth. Each of these statements will be authorized by the seal and signature of the owner or manager of the store, plantation, refinery or seller.

Sixth. For the carrying out of the purposes of the said Regulation for the collection of this tax, the average weight of each bag is fixed at 150 kilograms.

seventh. In case of the suspicion of frauds the respective Collectors of revenues will proceed in accordance with the provisions of the Regulation already several times cited, but they will in no manner obstruct the traffic of the sugar if the possessor shows a statement authorized in the form provided for under these rules and there not existing suspicions of fraud sufficiently justified.

Eighth. Neither will the Collectors of revenues prevent the traffic of sugars from port to port of this Island, but will exact the presentation of the statements

or invoices of lading.

Ninth. Every possessor or carrier of sugar who can not exhibit the corresponding statement or invoice of lading, will be responsible for the payment of the duties, without prejudice to the penalties incurred by the owner of the store, plantation or refinery, delivering the sugar.

Tenth. Those who sign false statements will also incur the penalties of article 7, without prejudice to their subjection to the corresponding criminal proceedings.

The above being made public by this means for general information.

Havana, 16 May, 1893.

Francisco Fontanals.

FORM No.1.

PROVINCE OF . . . . . MUNICIPAL DISTRICT OF . . . . . .

STATEMENT No. . . .

For the movement of . . . . . kilograms of sugar which have paid the impost on invoice of . . . . . .,189 , at the office of the internal revenue of . . . . . (or) which sugar coming from ". . . . . ." plantation, correspond to invoice of the month of . . . . . .

No.of packages and marks.	Amount of kilogs.	Name of owner or carrier.	Remarks.

Date and signature.

FORM No.2.

PROVINCE OF . . . . . MUNICIPAL DISTRICT OF . . . . . .

PARTIAL STATEMENT No. . . . . .

For the movement of . . . . . .kilograms of sugar coming from such a sugar plantation, refinery or store of the municipal district of . . . . . and which are part of the . . . . . kilograms of statement number . . . . issued, on such a date, by said plantation, refinery or store.

No.of packages.	Class of sugar.	Amt.of kilogs.	Name of owner or carrier.	Remarks.

, 189 ,

The seller or forwarder.

FORM NO.3.

PR VINCE OF . . . . . MUNICIPAL DISTRICT OF . . . . . .

PARTIAL STATEMENT No. . . .

For the movement of . . . . . kilograms of sugar which form part of the .. . . . kilograms of the statement, also partial, number . . . . issued by Mr. . . . . in which the sugar is expressed as coming from such a sugar plantation, refinery or store of the municipal district of . . . . . .

No.of packages.	Class of sugar.	Amt.ofkilogs.	Name of owner or carrier.	Remarks.

,189 ,

Seller or forwarder.

Enclosure No. 1
With Despatch No. 1894.
Havana, May 20, 1893

GACETA DE LA HABANA

Sábado 20 de Mayo de 1893

SECCIÓN CENTRAL DE HACIENDA.

Negociado de Contribuciones.

En el expediente promovido en virtud de la instancia formulada por el Círculo de Hacendados y Agricultores de esta Isla, poniendo de manifiesto algunos inconvenientes que en la práctica se presentan para llevar á efecto la Instrucción de 2 de Diciembre último sobre el impuesto del azúcar; el Excelentísimo señor Gobernador General, oido el parecer de la Sección Central de Hacienda é inspirándose en el deseo de harmonizar en cuanto posible sea los intereses del Estado con los del contribuyente, se ha servido dictar las siguientes reglas que han de regir desde esta fecha, á reserva de la aprobación del Gobierno de S. M. (q. D. g.)

Regla primera.—Dados los tipos de exacción señalados en el artículo 3.° de la Instrucción de 2 de Diciembre próximo pasado, conforme á la recta inteligencia de dicho artículo, debe entenderse que el impuesto sólo ha de satisfacerse una vez, y que los azúcares que hayan pagado 0'05 centavos como crudo ó materia prima, pagarán de nuevo al ser refinados otros 0'05 centavos que completan el tipo señalado á los azúcares refinos, y que los que antes de ser refinados hubiesen pagado el impuesto de 0'10 centavos por cada 100 kilogramos no deben volver á tributar.

Segunda.—De manera análoga á lo dispuesto con respecto á los dueños de almacenes en el artículo 7.° de la referida Instrucción, los dueños ó gerentes de las refinerías de azúcar no permitirán la salida de dicho artículo sin la exhibición previa de los documentos que atestigüen el pago del impuesto.

Tercera.—Los dueños y gerentes de refinerías y y los de ingenios ó almacenes expedirán guía de toda cantidad de azúcar que salga de su fábrica ó establecimiento, guía extendida con arreglo al modelo número 1 que se acompaña.

Cuarta.—A su vez los dueños de azúcares proveerán á sus compradores de una guía parcial con arreglo al modelo número 2, y éstos, en las ventas sucesivas que se verifiquen, expedirán también otra guía parcial con arreglo al modelo número 3.

Quinta.—Todas las guías irán autorizadas con el sello y firma del dueño ó gerente del almacén, ingenio, refinería ó del vendedor.

Sexta.—Para los efectos de la Instrucción de este impuesto se marca el peso medio de cada saco en 150 kilogramos.

Séptima.—En caso de sospechas de fraudes procederán las Administraciones respectivas con arreglo á lo prevenido en la Instrucción tantas veces citada, pero de ninguna manera entorpecerán la circulación del azúcar si el poseedor exhibe una guía autorizada en la forma que señalan estas reglas y no existen sospechas de fraude bastantemente justificadas.

Octava.—Tampoco las Administraciones de Aduanas entorpecerán la circulación del azúcar de puerto á puerto de esta Isla, pero exigirán la presentación de las guías ó facturas al efectuarse el embarque.

Novena.—Todo poseedor ó conductor de azúcar que no pueda exhibir la correspondiente guía ó factura, será responsable al pago de los derechos, sin perjuicio de las penalidades en que incurra el dueño del almacén, ingenio ó refinería de donde proceda la mercancía.

Décima.—Los que firmen guías fraudulentas incurrirán también en las responsabilidades del artículo 7.º, sin perjuicio de la acción criminal que corresponda.

Lo que de orden de S. E. se hace público por este medio para general conocimiento.

Habana, 16 de Mayo de 1893.—*Francisco Fontanals.*

MODELO NÚMERO 1.

Provincia de..... **Término Municipal de**.....

Guía número.....

Para la circulación de.....kilogramos de azúcar que han pagado el impuesto en factura de....de.....de 189.. en la Administración de..... (ó bien) que procedentes del ingenio..... corresponden á la factura del mes de.....

Número de los envases y marcas.	Cantidad en kilogs.	NOMBRE del dueño ó conductor.	OBSERVACIONES.

Fecha y firma.

MODELO NÚMERO 2.

Provincia de..... **Término Municipal de**.....

Guía parcial número.....

Para la circulación de....kilogramos de azúcar procedentes de tal ingenio, refinería ó almacén del término municipal de.... y que son partes de los....kilogramos de la guía número.....expedida, con tal fecha, por dicho ingenio, refinería ó almacén.

Núm. de envases	Clase del azúcar.	Cantidad en kilogs.	NOMBRE del dueño ó conductor.	OBSERVACIONES.

.....de.....de 189..

El vendedor ó remitente.

MODELO NÚMERO 3.

Provincia de..... **Término Municipal de**.....

Guía parcial número.....

Para la circulación de....kilogramos de azúcar que forman parte de los.....kilogramos de la guía también parcial número.....expedida por D.....en la que se indica como procedencia del azúcar el ingenio, refinería ó almacén tal....del término municipal de.....

Núm. de envases	Clase del azúcar.	Cantidad en kilogs.	NOMBRES del dueño ó conductor.	OBSERVACIONES.

.....de.....de 189..

El vendedor ó remitente.

Consl.

No. 1895.

U.S. Consulate General.
Havana, May 27, 1893.

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DEPT OF STATE

Mr. Williams
to the
Department of State

Criminal case against Mr.
Henry Hewecker.

1 Enclosure.

No. 1895.

U.S. Consulate General.
Havana, May 27, 1893.

Hon. Josiah Quincy,
Assistant Secretary of State,
Washington,
D.C.

Sir.

With reference to my despatch no. 1881 of the 8th instant, I now have the honor to enclose for the information of the Department copy and translation of my communication of the 10th instant to the Governor General asking that Hewecker, after serving out his sentence, be placed at the disposal of this office to be sent to the United States for trial for the killing of the mate, Edward F. Miller, on board the american schooner "Rebecca

"Rebecca S. Moulton", in the
harbor of Havana.

I am, Sir,
Very respectfully,
Your obt Servant,
Ramon O. Williamd,
Consul General.

1 Enclosure:
No. 1 — Mr. Williamd to the
Governor General - May 10 —

Enclosure No. 1. 1895.
With Despatch No.
HAVANA, May 27, 1893.

Translation.

U.S.Consulate General.

Havana, May 10,1893.

To H.E.the Governor General of the Island of Cuba.

Excellency:

I have the honor to acknowledge the receipt of the attentive communication which by order of Y.E., has been addressed to me under date of the 26th ultimo by the Secretary General,informing me of the trial and sentence imposed by the Superior Court of this city on Henry Heweeker,formerly cook of the american bark "Rebecca J.Moulton" for having wounded a sailor of the italian bark "Laura" with a fire arm on the san Jose wharf on the night of the 17th January,1892.

And as the said Heweeker has now been tried and sentencedfor the wound inflicted,on shore,on the said italian sailor,I deem it is now the proper time to reiterate the petition,which in compliance with instructions from my Government,I had the honor to address Y.E. on the 4th of May last asking: that Y.E.be pleased to order that the said Heweeker after serving out his sentence be placed in the Royal Jail of this city,subject to the orders of this office,the object of this petition being to send him to the United States for trial by the ordinary courts there for the crime of having discharged a fire arm on board the american schooner "Rebecca J. Moulton",lying in this port,on the same night of the

17th January,1892,against the mate Edward J.Miller,from the results of which the said mate died on the third day at the hospital "Reina Mercedes".

I have the honor to be with great respect,Y.E.'s obedient servant,

Signed: Ramon O.Williams,

Consul General.

Enclosure No. 1.
With despatch No. 1895.
H A V A N A , May 27, 1893.

Copy.

Consulado General de los
Estados Unidos.
Habana, Mayo 10 de 1893.

Excmo.Sr.Gobernador General de la Isla de Cuba.

Excmo.Sr:

Tengo el honor de acusar recibo del atento oficio que de orden de V.E., me ha sido dirigido con fecha 26 del ppdo.mes por el Ilmo.Sr.Secretario General, informándome del enjuiciamiento y de la sentencia impuesta por la Real Audiencia de esta capital á Henry Heweeker, cocinero que fué de la barca americana "Rebecca J.Moulton por haber herido con arma de fuego en el muelle de San José en la noche del 17 de Enero de 1892 á un marinero de la barca italiana "Laura".

Y puesto que ya ha sido juzgado y sentenciado el citado Heweeker por la herida inferida en tierra al marinero italiano, creo llegado el momento oportuno para recordar la solicitud que en cumplimiento de instrucciones de mi Gobierno tuve el honor de dirigir á V.E., en 4 de Mayo del año ppdo., solicitando: que cumplida que fuese su sentencia se sirviera V.E. mandar que se pusiese dicho Heweeker en la Real Carcel de esta ciudad á mi disposicion, siendo el objeto de esta solicitud el poder trasladar á Heweeker á los Estados Unidos para ser juzgado por los tribunales ordinarios allí por el delito de disparo de arma de fuego abordo de la goleta americana

"Rebecca J.Moulton", en este puerto, en la misma noche de 17 de Enero de 1892 contra el piloto Edward J.Miller, de cuyas resultas fallecio dicho piloto al tercer dia en el hospital "Reina Mercedes".

Tengo el honor de ser de V.E.ato.S.s.q.b.s.m.

Signed: Ramon O.Williams,

Consul General.

No. 1896.

U. S. Consulate General.
Havana, May 30, 1893.

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DEP'T OF STATE

Mr. Williams
to the
Department of State.

File

General acknowledgment of instructions from numbers 788 to 806, inclusive.

No 1896.

U. S. Consulate General.
Havana, May 30, 1893.

Honorable Josiah Quincy,
Assistant Secretary of State,
Washington,
D. C.

Sir:-

I have the honor to acknowledge the receipt of the Department's instructions numbers 788 to 806, inclusive, of which numbers 788 and 793, have been reported upon separately.

I am, Sir,
Very respectfully,
Your obedient servant,
Ramon O. Williams,
Consul General.